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Supreme Court, U.S.
FILED

99 217 MAY 17 1999

No. OFFICE OF THE CLERK

IN THE

SUPREME COURT of the UNITED STATES

JO ANN HOFFMANN,
Petitioner
--against--

TIM TWAMLEY.
BANK OF BENTONVILLE,
ATTORNEY FOR THE BANK RICK HOOD
ATTORNEY JERRY B. DOSSEY,
ATTORNEY DAVID G. NIXON,
ATTORNEY J. ROBIN PACE,
Respondents

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

PETITION FOR A WRIT OF CERTIORARI

JO ANN HOFFMANN, PRO SE
10 PERSHORE LAN
BELLA VISTA,
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MESSAGE ONLY 501-855-0303

1718

QUESTIONS PrESENTED FOR REVIEW

1. When State and Federal Agencies obstruct justice, withhold Freedom of Information Requested material, and stand on error or wrong law, adequate filing of a complaint for which recovery can be granted becomes difficult. Should a disabled citizen be excluded from the system of justice, because she lacks means of entry or to enter only to defeat as a "Pro Se," because no other way can be secured?

2. If District Court stated in the September 21, 1998 letter to Ms. Hoffman (sic) that in order to have authority to hear and decide a case, there must be subject matter jurisdiction, was the altering of a legal instrument of a Quit Claim Deed and filing of a false Satisfaction of Judgment under criminal statute § 5-37-226 (a), which carries recovery of treble costs for this Misdemeanor A in (c), indicative of recourse for a hearing?

3. Under the First Amendment to the United States Constitution,

> "Congress shall make no law .... abridging the right of the people to petition the Government for a redress of grievances."

Is the right of citizens to petition for redress in civil litigation under Article 1 of the Constitution of the United States out of date? Hoffmann did not understand subject matter: jurisdiction, because of jurisdiction lacking in the local courts.

4. Should ability to secure civil representation exclude those who are victims of prior legal corruption, hence unable to

secure assistance and restricting access to civil justice? Does that leave only criminal justice?

Under Rule 8 of the Rules of the Supreme Court of the United States, members who engage in conduct unbecoming a member of the Bar may be brought for discipline and disbarment. Because of local rules that can only be made in this Supreme Court, no other place to secure justice exists.

Four lawyers are herein Defendants as they engaged in corrupt and criminal actions arising from civil representation in which jurisdiction should have been evident to all licensed members of the Bar. Is such behavior unbecoming to members of the Bar and should they not be subject to discipline and disbarment -- rather than protected from hearing in a civil matter?

5. Should the court have excluded a hearing to this citizen, especially if she is disabled and brain damaged; or should the court have demonstrated sensitive, professional caring for the needs of all parties, even those with disabilities?

If states protect the criminal rights of the mentally impaired, should the civil rights of the mentally impaired also be protected?

6. If the ability to make local rules rests ultimately with the authority placed by Congress in the United States Supreme Court, should the petitioner's rights cease; because of mechanical failure of a relatively new typesetting system, (i.e. computer monitor and later printer replacement) in an appeal court, because of that failure? Or did Congress allow one Supreme Court to consider such regrettable problems?

If local rules allow electronic filing under rule 25(A), but are restricted to stays of execution, was "DEATH" meted out when Hoffmann was denied entry, not a capital case, not even a criminal?

7. Is the sale of Duxford Lane Real Property, lacking jurisdiction to so order and a fctor in deceit in this action, to be a problem to resolve now or at time of probates or trusts execution?

PARTIES OF THE CASE

1. Tim Twamley, was the second contractor (D/B/A BELLA VISTA BUILDERS) hired to rebuild Pershore after a house fire. Bank had a frauded right to require his hiring.

Twamley has stated indigence in Case No. 94-487 and a hearing on Contempt of Court, scheduled for July 22, 1997, before former prosecutor David Clinger, now Civil Judge, 19th Judicial Circuit Court for non-payment of judgment, found him still not appearing. A Corporate Statement was not sought as a result.

2. BANK OF BENTONVILLE was a third party with rights in a mortgage on the 10 Pershore Lane property. By Court Order of 11/13/92, the mortgage was ordered to cease on 12/15/92. As a result Bank had concealed a simple statement of authorization to escape discovery of wrong; and in effect, encumbrance prohibited the sale and led to subsequent illegal actions. Jurisdiction invalid is tied to their authorization.

The BANK OF BENTONVILLE Corporate Statement of was requested from attorney Hood on July 6, 1999 for pickup or fax by July 9,1999. On July 12, 1999, Rick Hood responded through his receptionist that he did not have that information and that the petitioner should seek information from the Secretary of State of Arkansas.

The office of Secretary of State informed that banks file such information to the Arkansas State Bank Department.

BANK OF BENTONVILLE's Corporate Statement is unavailable, due to policy of non-disclosure reported by Chief

Counsel Candace Franks in the March 16, 1999 letter of the Arkansas State Bank Department. (App.48-50)

3. Attorney for the Bank of Bentonville, Rickard W. Hood, has served the Bank of Bentonville as counsel of record in the matters creating this case at least from 1992 to the present.

Mr. Hood has not disclosed business status regarding incorporation, nor answered the Complaint of September 17, 1998, filed to U. S. District Court in the Western Division as a co-defendant..

4. Jerry B. Dossey served as defense counsel to petitioner's spouse and was Trust Attorney for the Bank simultaneously. As his client was a joint tenant with right of survivorship in the 10 Pershore Lane property, Dossey sat with conflict of interest.

Dossey served as power of attorney for the improper sale of the Duxford property pursuant to the order of 11/13/92 of E-92-299-1 and was instrumental in the jurisdictional violations found to exist, due to fraudulent encumbrance and conveyance subsequently.

Mr. Dossey has a record of leadership in the community and a record as attorney for the husband (and subsequently for both plaintiff and defendant in 1993,) that is prohibited by law. The record stands on its own merit.

Mr. Dossey reports no incorporation through phone contact with his staff on July 12, 1999.

5. David G. Nixon is distinguished for his faith in Christian stewardship, his skill in law, and as a CPA.

Marvin D. Krueger is the CPA of record for Hoffmann and undue process of law has created an accounting liability of $2,114.90 in hearings before Administrative Judge Tom Clark for the Arkansas Department of Finance and Administration.

The tax in dispute under the rules of IRS Publication 504 and Property Settlement Agreement of 3/21/90 are for tax years 1991, since Mr. Dossey's client (spouse) was in tax court in Wyomng in 1995 for tax year 1991; and tax year 1994 in which Bank of Bentonville sued Hoffmann in a court of no jurisdiction (i.e. E-93-1186-2 over a cause of no merit, created by fraud of encumbrance (11/28/92) to cover up breach of joint tenant rights with contractor #1.

The amounts of taxes at dispute for a non-taxpayer is $18890,59 Costs of $1889.59 to escape injustice at cost of $2115, and more to come is indicative of a unique kind of spouse abuse. Hoffmann has no taxes under the PSA in that she gets net income after federal and state tax deductions under Article 11 or none under article 15 wherein fraud exists. Such heavy burden has led to forfeiture for real estate taxes delinquencies and those conditions created by these trusted professionals, while courts look at income, not net worth.

Nixon served as counsel from July, 1994 to October, 1996 and withdrew. Five judges recused simultaneously to the Administrative Office of the Courts. Unity recusal passed a case lacking jurisdiction to be placed in 96-190.

Nixon appears to have failed to identify jurisdiction as the key issue, and at one time had his law clerks consider consolidation at my request. Means to recovery is Black vs Merritt, 37 Ark App 5, 822, 2d S.W. 853 (1992)

Under incorporation, Mr. Nixon responded with fax returned on July 6, 1999 as reported here:

"2. SEE BELOW

"Comments:

"PLEASE BE ADVISED THAT WE DECLINE YOUR REQUEST TO PROVIDE YOU WITH A CORPORATE STATEMENT AND WILL NOT HAVE SUCH A DOCUMENT AVAILABLE FOR YOU ON JULY 9.

pc:.________

document
July 6, 1999"

6. J. Robin Pace served as counsel in 1990 to January, 1991, again in 1992, until his illegal withdraw June 28, 1993, alleging Model Rules of Professional Conduct Rule 1.16 (b) "Difficult to work with," facts. Petitioner was 100% disabled at the time, and protected by the only civil means to protect the civil rights of the mentally impaired in Arkansas Model Rules of Professional Conduct, Rule 1.14.

Protection went begging with the ADA protection as the county has stood in non-compliance until the Bank offered $600,000 as a gift to get the county out of federal violations and violated the principle of purchase of judicial favor.

As counsel of record in 1993, dumping a mentally

impaired client, J. Robin Pace's facts are discussed in more detail throughout the petition. Reported collection ruining credit while false and altered legal instruments attest to credit reporting fraud demands Rule 8 consideration of this man and others. Trans Union cites his credit reporting fraud at $4148; but having committed §5-36-103, 5-37-201; and 5-37-226 offenses, he can not collect for fraud. False reporting has ruined my business relationships, however, due to this man and the others here.

Attorney Pace has not responded with Corporate Information, nor with Answer; and his secretary is unaware of any.

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TABLE OF AUTHORITIES

CASES

THREE CASES EXIST IN BENTON COUNTY, WHERE ONLY ONE SHOULD BE THE CASE OF RECORD.

The cases are:

Baker vs. Baker, E-91-128-2, the only case with merit, due jurisdiction in a Property Settlement Agreement of 3/21/90, found legally valid and binding in 9/24/91 order.

Rulings are found 9/24/91; 12/7/92; and 2/11/93 (secured in fraud.)

Hoffmann vs. Baker E-92-299-1, in which Jurisdiction is lacking, due Misprision of the Clerk and should be vacated under Black vs Merritt, 37 Ark App 5, 822, 2d S.W. 853 (1992).

Rulings are found 11/13/92; 7/23/93; and 10/4/95 and then are transmitted to 96-190, due recusal of all Civil and Chancery judges simultaneously. Jurisdiction was passed to a special judge, but no jurisdiction existed, due fraud in 2/11/93 Order to Dismiss in fraud.

Special Judge rulings are 2/12/97 and 6/2 & 3 (back dating of file mark), 1997 judgments without merit, due fraud in three prior courts.

Metro Builders and Restoration Specialists, Inc. vs. Bank of

Bentonville and Jo Ann Hoffmann. E-93-1186-2, Jurisdiction reserved to third party rights in E-92-299-1, but that too without merit. Jurisdiction was reserved to the personal jurisdiction of a court, but that court lacked jurisdiction when he ruled, disclosure 12/21/98.

In Wyoming, unable to qualify for Uniform Foreign Exchange Action, spouse has secured a fraudulent absolute divorce, based on E-92-299-1. CV 97-93 lacked jurisdiction to so perform.

Baker vs. Hoffmann, CV 97-93 Second District Court of Carbon County, Wyoming, and jurisdiction challenged but not ascertained.

Pro se status existed due lack of funds for assistance and record of non payment by spouse. Illegal divorce 1/21/98 must be vacated. Husband has pledged troth to the first court and played with all the rest.

Prepared for the Supreme Court was a record entitled "Fourteen of Twenty-eight Lack Jurisdiction." Satellite cases came about, due misprision of the clerk and lack of correction, due fraudulent concealment of encumbrance. Defendants in the civil case are responsible for those failures.

The case filed on 9/17/98 was filed as a civil case that has been subsequently been disclosed as a multiple criminal action resulting from cover-up. Over 400 criminal violations should be considered for prosecution by authorities who do serve in their jobs for even the little people.

STATUTES AND RULES

Property Settlement Agreement of 3/21/90

ORDER OF 9/24/91 - E-91-128-2 established the legality and validity of the Property Settlement Agreement of 3/21/90 between Bill Baker and his wife, petitioner, Jo Ann Hoffmann. This document was disputed in the wrong court, and denied petition due lack of jurisdiction to Modify Without Authority. Dossey affected the fraud in that court.

ORDER OF 11/13/92 of E-92-299-1 hearing of 8/10/92, and lacking jurisdiction found in fraudulent 1993 conveyance of legally altered written instrument in exchange for Order to Dismiss of 2/11/93 secured with fraudulent conveyance of property, an altering of legal instrument, invokes §§5-36-103; 5-37-201 and 5-37-226(a) and (c).

FRAUDULENT ENCUMBRANCE --11/28/92 is a "simple" statement Mr. Hood prepared to protect Bank's breach of joint tenant rights, without disclosure to Hoffmann. It is the instrument of fraud. Real estate fraud involved all these parties at some time in the problems. Julie Farrish of the Federal Reserve System analyzed the actions, but lacked this one document or took wrong facts.

IMPROPER HOUSE SALE/ENCUMBRANCE OF AFFIDAVITS AND ENCUMBRANCES 12/15/92 Authorization renders encumbrance and inability to sell home, or to convey property for a dismissal of a contempt of Court Citation; but two Courts were not told.

Fraud on two courts now enters this Court, rendering fraud on

Cases Numbered E-91-128-2; E-92-299-1; CV 96-872-1; CA- 97-01434 Arkansas Court of Appeals; 98-1224 Arkansas Supreme Court; 98-5162 U.S. District Court; U.S Court of Appeals of the Eighth Circuit; and CV 97-93, Second District Court of Carbon County, Wyoming; and dockets 98-208 and 98-209 Department of Finance and Administration.

PROPOSED ORDER TO DISMISS of January, 1993, was not as file marked with Quit Claim Deed. The delivered document in exchange for dismissal of an order to dismiss was secured under fraud, undisclosed until 12/98.

One paragraph Quit Claim Deed authorized was attached to the January proposed exchange. It is believed served on 1/28/93, but the filed 2/19/93 instrument has a typed in unauthorized addition.

Two paragraphs altered without authority were returned file marked. Pace and Dossey breached Model Rule of Civil Procedures 3.4 (a) and (c) and §§ 5-37-201 and 5-37-226 (a), netting §5-36-103 criminal offenses.

Order to Dismiss 2/11/93 was arranged to effect exchange of spouse interest in Pershore for exchange of order of 9/24/91. Mr. Dossey and Mr. Pace are actively securing fraud to cover-up their involvements in the case in which both profited and profited the Bank deceiving the opponent and client, disabled plaintiff.

QUIT CLAIM DEED 2/19/93 was passed with an altered, unauthorized paragraph passing over $15,700 of debt to wife, pursuant to the improper sale of the big home, which lacked jurisdiction in the sale by the court.

ARCP RULE 64 (b) (1, 2, and 3) was formulated to allow withdraw of lawyers and not damage clients. Pace failed all three.

E-92-299-1 (19th. JUDICIAL CHANCERY COURT, BENTON COUNTY, ARKANSAS. 7/23/93; Dossey Modified the Property Settlement Agreement and Order of E-91-128-2 in the Court of E-92-299-1, as counsel for both. Modification Not Authorized is expressly prohibited in Michie under Arkansas Rules of Civil Procedure, Rule 60 (c). Dossey breached that law; Oliver L. Adams has signed the Order, having violated his own Article 7 ruling of 11/13/92. This action placed Hoffmann in poverty.

E-92-299-1 (19th. JUDICIAL CHANCERY COURT, BENTON COUNTY, ARKANSAS. 10/4/95 Order, the result of duress of 9/25/95 and lack of jurisdiction renders all actions post 12/7/92 to be subject to the vacating of Judgment pursuant to the Property Settlement Agreement of 3/21/90 on the merit of Black vs. Merritt due jurisdiction lacking.

§ 5-36-103 FELONY STATUTE indicates a theft of property.

STATUTE 5-36-103

" Defendant _____________ on or about ____________ in Benton County, Arkansas, unlawfully, and knowing takes or exercises unauthorized control over, or makes an unauthorized transfer of an interest in, the property of another person with the purpose of depriving the owner thereof, or it says knowingly obtains the property of another by deception for the purpose of depriving the owner thereof,

to-wit: _______

against the peace and dignity of the State of Arkansas."

§ 5-37-201 FELONY STATUTE

STATUTE 5-37-201

The Defendant on or about __________ in Benton County, Arkansas, unlawfully with the purpose to defraud he draws, makes, completes, alters, counterfeits, possesses or utters any written instrument that purports to be or is calculated to become or to represent if completed the act of a person who did not authorize that act,

to-wit _______

against the peace and dignity of the State of Arkansas.

Mark Mc Beth was cited, extradited from Texas, and incarcerated for this offense.

Mark Mc Beth's clients got immediate help and access to the Client Security Fund and restoration of civil rights. Petitioner did not receive the same fairness, but dumped by counsel, began to learn law, physically impaired and fatigued due to the length of the ongoing litigation and her endeavor to continue to pursue to this court if need be, and disabled.

§ 5-37-226 (a) AND (c) MISDEMEANOR A STATUTE

UNDER "§ 5-37-226. Filing Instruments effecting title or interest in property.

"(a) It shall be unlawful for any person or persons to have placed of record in the office of the recorder of any county any instrument falsely affecting the title or interest of the true owner or lessee in real property or clouding or adversely affecting any bona fide interest in real property with the knowledge that the instruments lack authenticity or genuineness, and with the intent of clouding, adversely affecting, impairing, or discrediting the title or other interest in the real property, which may prevent the true owners, lessee, or assignee from disposing of real property, transferring or granting any interest in the real property, or with the intent granting any interest in the real property, or with the intent of procuring money or value from the true owners, the lessee, or assignee to clear the instrument from the records of the office of the recorder.

"(b) Any person violating the provisions of subsection (a) of this subsection (a) shall....

(c) UNDER § 50-37-226. FILING INSTRUMENTS AFFECTING TITLE OR INTEREST IN REAL PROPERTY.

OTHER AUTHORITIES

Under "Black Vs Merritt, 37 Ark App 5, 822, 2d S.W. 853 (1992), judgments due lack of jurisdiction are subject to post 90 day vacating of judgment and where default is not an issue, no meritorious defense is required."

"Arkansas Code of Judicial Conduct, Canon 3 B (8) restricts unnecessary costs from a litigant." Pursuit of Justice can be abuse performed in another position.

"SANDSTROM VS. SANDSTROM" WYOMING. Frank Bayless Opinion to the Second District Court regarding the lack of merit to Wyoming jurisdiction, dated 10/20/97.

OPINIONS BELOW

The opinion of the Court of Appeals for the Eighth Circuit is unknown as it was dated April 14, 1999. (8th, Cir. 1999).

Decision of the Court of the Appeals for the Eighth Circuit	Appendix
Memorandum and Order of the United States District Court for the Western District of Arkansas	Appendix

"SANDSTROM VS. SANDSTROM" WYOMING. Frank Bayless Opinion to the Second District Court regarding the lack of merit to Wyoming jurisdiction, dated 10/20/97.RE: Uniform Foreign Judgments Act, Sandstrom v. Sandstromm 800 P. 2d 103 (Wyo. 1994)

OPINION OF FRANK BAYLESS ,ESQ. BAYLESS, SLATER, & MACY:

" ...if any judgment in Arkansas is void in that the court acted in a manner inconsistent with due process then such a judgment obtained in violation of the due process clause is not entitled to full faith and credit. ....incorporation of the judgments in a Wyoming decree would open up the issues of the validity of the judgments in Arkansas under full faith and credit....

I further felt that there has been no compliance with the Uniform Foreign Judgments Act as required by Wyoming Statue. Sandstrom v. Sanddstrom, Supra.....

JURISDICTION OF THIS COURT

The opinion of the United States Court of Appeals for the Eighth Circuit was rendered on April 14, 1999. (App. 1) A petition for rehearing en banc was **untimely filed, due failure of two components of the new computer system replaced for the purpose of pursuit of justice. The act was not foreseeable and the unit was new and replaced by Tandy.**

Local rules of the United States Court of Appeals of the Eight Circuit, allows for electronic filing, but on March 8, 1999, electronic filing was reported upon request to only be available for stays of execution. Suggestion to file a Belated Motion for Rehearing en Banc was complied with and the copy of the March 8, 1999, March 9, 1999, and the Supplemental March 10, 1999 were filed to indicate delay was not due lack of preparedness, but due lack of mechanical performance on the day for timely filing, a Saturday to arrive by Monday, March 8, 1999.

Due to the hearing of CV-99-74-1 in the 19th. Judicial Circuit Court of Benton County, Bentonville, Arkansas at 9:00 AM on 3/8/99, driving the petition to St. Louis was not possible for the appellant who was the plaintiff in the action in the court of Judge Tom Keith in Benton County. The Appellant and Plaintiff (both one and the same) had to prepare for two cases at the same time, but was also preparing for state tax hearing and federal tax appeals due to the criminal actions that have also come into this case.

STATEMENT OF THE CASE

The case under consideration is unusual in that no hearing has been given; no Answers filed; and Jurisdiction that created it is lacking in the prior courts and was moot and undetermined when filed.

All parties in lawsuits have a right to know where jurisdiction is.

The etiology of the case is discussed in the text listed by number for ease of consideration.

Mr. Twamley, who is the first respondent should not be listed. He was approached by the Bank to again enter separate agreement in a matter of fraud m(6/24/93 and 7/23/93 letters Bank of Bentonville), and Bank had no legally secured right to require any action. Bank had created the problem.

WRIT OF CERTIORARI, FILED TO THE UNITED STATES SUPREME COURT

1. This case was filed in the United States District Court on 9/17/98, in compliance with the Constitutional Authority vested in Article III, Section 1 of the Constitution of United States of America that established the judicial power in one Supreme Court and such inferior courts as Congress may establish from time to time

2. "Under Section 2 of Article III, (t)he Judicial Power shall extend to all Cases, in Law and Equity, arising under the Constitution, the Laws of the United States...to all cases and Controversies between Citizens and corporations and of different States. The Constitution does not expressly grant power to any other court, except the Supreme Court. Congress has been given the power to create other courts thereafter, as such."

This fact is established in the Federal Civil Procedure, Second Edition, Edward L. Niles, Lexis Law Publishing, Issue 6 (1997) in 1.100, p. 1-2.

> 3. "Because the authority and powers of the federal judiciary system are established by the Constitution, federal courts are of limited jurisdiction,"

which is the position that Judge Waters took in his early case responses. Appellant understands his limitations are subject to established law, and as such, appeal WAS required, due yet, undisclosed facts that precluded correct filing.

Discovery after filing of case on 9/17/98 has revealed this case is not just a civil dispute arising from a Chancery Court in Benton County, Arkansas, filed under a consideration pending moot jurisdiction in the state court, but now appears to hold criminal status as disclosed by the Arkansas Insurance Department's returned documents. The records were returned under Arkansas Freedom of Information Act and were addressed to the United States tax authorities on 12/21/98. (App. 52-7)

4. The key returned document here is 12/9/92 of the co-defendant Bank of Bentonville, via its attorney Rickard W. Hood and involving domestic counsel, Jerry B. Dossey. It indicates that fraudulent concealment has existed in a breach of joint tenant rights, regarding two real properties at 11 Duxford Lane, Bella Vista, Arkansas; and 10 Pershore Lane, Bella Vista, Arkansas. (App. 67-77)

Those two properties were protected under Property Settlement Agreement of 3/21/90 in Article 1, upheld in Chancery Court in Order of 9/24/91 in E-91-128-2, between the clients of the lawyers listed as co-defendants here.

Mr. Tim Twamley was therefore required to engage in a contract which he breached, wrongly on both counts. The Bank had fraudulently protected its interest with disclosure to its other joint tenant, Hoffmann..

5. That document of 12/9/92 appears legal, but fraudulent conversion has been protected as the Bank arranged the illegal holding of insurance funds following a house fire at 10 Pershore Lane in June of 1992. (App.77)

As a third party it held the funds. However by court order, revealed to lack jurisdiction to order the sale of the Duxford property and the pay off of the Pershore property, on 12/9/92, mortgage was scheduled to cease six days later. Should the property be paid off, pursuant to the Agreement of 3/21/90, Article 2, the Bank would have to reveal to the court its one-sided action, excluding Hoffmann. Debt was to cease; mortgage was to be paid off -- when Duxford was sold. Property Settlement Agreement does not require its sale.

6. What happened after the fraudulent authorization, referenced in Mr. Hood's 12/9/92 letter, was signed on 11/28/92, clarifies that both Statutes §§ 5-36-103 and 5-37-201 (supra) have been violated. Hoffmann became a victim of gross injustice, fraudulently concealed, not her goal in presenting for civil intervention in a court of law. (App.74)

7. On 12/15/92, lacking jurisdiction to order the sale, (pursuant to fraudulently secured Order to Dismiss of 2/11/93 (E-91-128-2) the Duxford property sold. The Pershore home was not paid off. (App. 80-87)

The last agent to sign was Mr. Dossey for his client, and on 12/17/92 a false Satisfaction of Judgment was entered by Mr. Pace, former counsel to Ms. Hoffmann who dumped her in violation of Arkansas Rules of Civil Procedure
Rule 64 (b) (1, 2, & 3). He left her further victimized by conflicting representation of one lawyer, Jerry Dossey; but he did not indicate he had filed a false Satisfaction of Judgment on 12/17/92. (App. 78-9)

Dossey modified the original order of 9/24/91 in E-91-128-2 on 7/23/93 in another court, E-92-299-1, action restricted by Arkansas Rules of Civil Procedure Rule 60 (c) "Modification Not Authorized." Michie's Court Rules of the Arkansas Code of 1987 Annotated, Charlottesville, Virginia, (1997), p. 611.

8. On 2/11/93 a Motion to Dismiss the Petition for Contempt filed against Mr. Dossey's client, the husband of Hoffmann, was secured with prejudice, but without disclosure that the Pershore property was encumbered property. The Quit Claim Deed of 2/19/93 was not as authorized by Hoffmann, adding additional insult, by the Bank's one-sided action of 11/20/92 to 12/9/92 in apparent conspiracy. (App.84-7)

Merit of that statement is born in false reporting on 6/16/98 by the senior analyst for the Federal Reserve System, placing the Board of Governors of the Federal Reserve System in a position of support of fraud. (App 100-4)

Fraudulent and altered legal instrument of 2/19/93 was filed by Pace or Dossey, violating the three criminal statues listed above, §§ 5-36-103, 5-37-201; and 5-37-226 (a). (App. 84-7)

9. The goal appeared to be rebuild the home; pay off the contractor; and not disclose Bank's gross negligence.

The contractor, "Metro" drew a breach and withdrew.

Without disclosure of it's illegal interest by fraud post 12/15/92, the Bank required petitioner to rebuild her home as if they held a valid, not frauded, continuing mortgage. Bank recommended she use her IRA's, abusing her federal retirement arrangement and rendering taxes in fraud.

10. Disclosure to the Federal Reserve Board in response to Hoffmann's complaint, failed to disclose facts reported to both Randall Sumner of the St. Louis Bank and to Julie Farrish of the Washington evaluation team.. (App.98-104)

The property was not secured by the decree (E-92-299-1, but from the prior court, (E-91-128-20 and a frauded interest and transfer of title illegally. Mr. Dossey's client did not come seeking aid from the Bank. Bank holds no power of attorney.

The Bank identifies in its 12/9/92 letter it sought relief and created the document, without power of attorney, when one references the letter between Hood and Dossey on 11/20/92. Both attorneys likewise serve the bank in official capacity. Dossey is trust attorney; and Hood is bank attorney. (App. 70-3)

Dossey was also domestic attorney and had no right to restrict any action. He and his client were under two court orders. The record shows that after 2/19/93, due fraud in securing of 2/11/93 Order, that the criminal statutes cited were violated against both, Hoffmann and against the peace and dignity of the State of Arkansas. (App. 82-7)

11. These facts pled in order to secure the rights of this Petitioner are pled by a party who has been victimized in many cases that are interrelated and ongoing.

Appeal to the Arkansas Court of Appeals as CA-97-01434, failed to determine jurisdiction in the base case of E-92-299-1, the case without merit, due lack of jurisdiction.

Where jurisdiction is lacking, vacating of judgment is more appropriate. No meritorious defense is needed, certainly not an appeal to the United State Supreme Court.

12. In post 90 day considerations, the precedence case of Black vs. Merritt, 37 Ark App 5, 822, 2d S.W. 853 (1992) should have rendered justice and vacating of judgment without meritorious defense. No default judgment existed; and the case was remanded to the trial court of Special Judge Mary McGowan on 1/21/98. Judge Mc Gowan has been asked for information on her response to the Arkansas Supreme Court Clerk or stands in "Contempt of the Court."

13. No appeal can be filed if jurisdictional statement can not be written, with lack of jurisdiction. Because of these two factors, no meritorious defense is needed.

14. CA-97-01434 closed without determining jurisdiction on August , 1998 and again in reconsideration on September 16, 1998 and was appealed to the Arkansas Supreme Court as 98-1224 on October 5, 1998.

The Arkansas Supreme denied reconsideration November 2, 1998, following dismissal by the Court of Appeals as the *initial* failure of the computer system could not protect rights, though requested.

CA-97-01434 was dismissed without hearing on 9/16/98, and jurisdiction errant was never determined.

15. Jurisdiction is still moot; and husband in

Wyoming. RE: Uniform Foreign Judgments Act, Sandstrom v. Sandstrom 800 P. 2d 103 (Wyo. 1994) attempted to lock out recovery in Arkansas.

16. On 11/14/96, five judges recused without disclosure to the Arkansas Administrative Office of the Court that Misprision of the Clerk had been an error in 1992. They stood on 2/11/93 Order, fraudulently concealed until 1998, and on Arkansas Code of Judicial Conduct Canon 3 E (1), bias towards a disabled party, unable to fight with counsel.

Case 96-190 was passed to Special Judge Mc Gowan and Freedom of Information Act requests were unheeded.

17. On 9/18/98, the Arkansas Insurance Department responded to State Senator Fay Boozman, but fraud did exist. They shipped the records without disclosure that they answered the request for information. It was found on December 21, 1998.

18. Supporting documentation indicates that the Arkansas State Bank Department failed to disclose fact as late as 3/16/99. Appellant received 462 pages of HER record, 7 of the department's; and none of the requested Bank of Bentonville's under FOIA BOB request.

Chief Counsel, Candace Franks for the department has stipulated fact in the 3/16/99 letter, verifying that Hoffmann did not have evidence from 1993 to 3/16/99 from that group.(App. 48-50)

19. Because of moot jurisdiction, and fraud upon a

bank, involving the courts, and not stopped by the prosecuting attorneys, it appears that Hoffmann has no access to justice in her state court.

20. Requirements of the Americans With Disabilities Act was not honored. Hoffmann was mentally impaired, but not incompetent, nor mentally ill. The cause for illegal withdrawal of Pace was not Model Rule of Professional Conduct Rule 1.16 (b); but failure to uphold the same Model Rule of Professional Conduct Rule 1.14, dealing with clients mentally impaired. Disabled or not, the Code is written for all.

21. Hoffmann was brain damaged by tort action created in treatment for the wrong disease in 1964. A legal consideration remains over that matter in the Air Force Legal Services Agency.

Social Security Administrative Law Judge James Lawson determined on 1/12/96 that Appellant was 100% disabled retroactive to 1986; but the lawyers disadvantaged a client who was protected under stipulated non-compliance by the county to the requirements of the Americans With Disability Act in its Transition Plan on page 8.

Costs to secure Medicare disability, due unique error back 40 years and the destruction of air force dependent and retiree records may be ascertained by affidavit at 15,603.90, and income was offset by those costs from $17,655.40. Hoffmann netted income of $2051.50. Judge McGowan awarded Mr. Dossey's client 100 payments of "back sharing" at $32.31 or award of $3,231, netting loss of $1,179.50. She did all the work; and paid all the costs, but the court did not honor the agreement and had a lack of jurisdiction as well. Trying to recover criminal actions in a chancery court placed by Dossey, short pay was further cut.

Judge Waters found no pauper status, and such was upheld by the Court of Appeals of the Eighth. Therefore with figures to support more negative net worth, a victim of injustice, she shouldered more of the sacrifice of life enhancing needs and pursued on in injustice.

22. Handicapped, bilked out of her retirement plan savings, and frauded into yielding them to the defendants, Hoffmann had no access to justice. As if that were not bad enough, the 1990 Tandy 1000 began to malfunction during preparation of the appeal of CA-97-01434. Its service endured "only eight years".

23. The Complaint filed on 9/17/98 is an embarrassment to the Appellant, but it had to be filed. It was prepared on a public library computer, without skill of the Petitioner in that processor. In places it makes no sense; at others, it has corrections that when corrected cut letters, unseen by physical visual problems. Not just brain damage, but cataracts in both eyes hinder visual acuity. Every handicap, including lack of skill, funds, training, facts - due to fraud, and mental acuity, due overwork in securing legal rights, further kept Hoffmann from a good job. But in placing even a bad job before a judge, she kept her rights alive.

Her efforts do not reflect weeks of preparation, but were expensed.

24. The greatest handicap was the lack of access to justice, a guarantee of a right of hearing in our great country.

Arkansas has protected the access of mentally impaired "criminal" clients; but those with civil issues like Hoffmann have no where to turn. Unprotected she was a target from her own protectors. The record stands on its own merit.

25. For the year of 1998, Hoffmann's two other banks received funds and watched them go for legal fight. They paid overdrafts arranged; and charged and reversed charges, having seen the supporting documents.

The filing fee of $300.00 will likewise be covered and will necessitate sacrifice on August 3, 1999; but both banks will support the petitioner. Estimated costs to produce this document are over $1,000 with a record purchased last month at $350. Hardship that has continued since 1992 worsens while Medicare and IRS delay consideration of fact and law, and render opinions rather than law enforcement of already breached law.

26. Fraud and perjury took $24,405.47 in a court of E-93-1186-2 in which the transcript recorded Mr. Hood's identifying jurisdiction in the court of E-92-299-1.

The Order of 11/13/92 reserved subject matter jurisdiction to E-92-299-1, too in Article 21, and gave opportunity for third parties to deem rights. Bank instead quashed subpoena.. Only Judge Waters appears to have thought jurisdiction was important enough to uphold law.

The Bank filed a Cross Claim to the 1993 Court without jurisdiction and retroactive to 1992. That same Bank failed to tell t7e court of E-93-1186-2 with the second jurisdictional violation, about the fraud earlier (E-92-299-1), due 12/9/92.

Mr. Hood also failed to release Mr. Baker from the debt though Hood entrapped him. He and Mr. Dossey along with Mr. Pace conveyed the property giving debt with deception and intent to defraud the other joint tenant in E-91-128-2, by his actions of cover-up. (App. 74)

27. In 1995, husband Baker hostaged his freedom to false threat of foreclosure at the expense of breach of espousal (App 52-7) rights of a 401 A Plan, arranged by attorney Dossey.

Fraud would not normally allow a foreclosure threat.

David Nixon was counsel at that time, who not only allowed such, but never considered anything but surrender to wrong, under duress, and ruled out consolidation of three cases which are technically one.

Once the duress netted the Settlement Statement of 9/25/95, in the case of E-92-299-1, Contempt of Court or acceptance of 10/4/95 order was the choice, a poor one.

These trusted men arranged a second order of the court of E-92-299-1 dealing with matters not before the court. with pay off of the same property. Most judges would have known something like a Contempt of Court for failure to perform 11/13/92 Order Article 14 should have been filed. At that time, the frauds were well concealed, underway, and costly.

Hoffmann paid the Bank a frauded amount of $52,212.50 on 1/4/96, and lost rights to Mr. Baker's payment of $15,778 (12/15/92 sale requirement,) (App 88-90); and his debt of $1479.34 Contempt of Court amount in the 12/7/92 petition to E-91-128-2. (App. 78-9) Bank also required that IRA withdraw by suggestion with no valid interest to require, but an encumbered one in deception. the total loss to Hoffmann reported in 1997 to Judge Mary McGowan was $320,500 approximately.

Affidavit of fees submitted 5/27/97 to Judge McGowan indicates representation costs without copy, supply, time, fax, postage or wages for 20 hour days since 1990, reached $74,301.14 -- and she did not get a valid divorce out of that effort, due to lack of jurisdiction. But her medical coverage, as an air force wife, continues to hinge on marital status, a consideration not shared with distaff members of the air force team. Hoffmann's services netted a certificate for 17.5 years of service to her husband while he served his country.

The "legal costs figure" reported did not include added costs of Wyoming litigation, and appeal of CA-97-01434, 98-1224; 98-5162; 99-1182 and this issue.

28. Having recused on 11/14/96, where was jurisdiction to secure rights in breach of contract five years later on 12/15/97?

Two cases were petitioned and denied opening, needing counsel. No counsel was available; the denial came from a judge who recused; who lacked jurisdiction, and whose transcript on 3/2/94 an 3/3/94 shows perjury in two cases. Prosecutor Brady Butler stood on prosecutorial power and sacrificed citizen's constitutional rights. He took "no" action, further justifying criminal actions as "WINNERS".

29. On 12/31/97 the ruling of the court (without merit) in two cases was recorded. On 1/13/98 listing two unconsolidated cases in the style of the case, an official ex parte at cost of $158.10 for the transcript of 1/13/98, was tried with undue process of law.

No lawyers were present; nor docket entries; no fees paid; no cases consolidated; no judgments rendered. The Arkansas Judicial Discipline and Disability Commission rendered the 13th public letter of "no merit," while the record bears witness to over 400 criminal offenses in the three statutes listed above. Their evaluator failed to cross reference and considered three separate cases, when only one existed.

30 This case, filed to Judge Waters, arose from these stated facts above. Theft of property by counsel is evident in 7/23/93 Order of E-92-299-1, denied as not modifiable in 11/13/92 Order, Article 7.

In effect the order modified in E-92-299-1 was the order from E-91-128-2, and done as counselor to both parties, appointed by a court while a damaged little lady stood not evening knowing Michie wrote a book.

31. Clearly undue process of law precluded justice.

32. With the presentation of the 10/26/98 pleading to Judge Waters, the record bears evidence that in the investigation of Tim Twamley's theft of funds across the Missouri state line to the carpentry shop of Jim McGruder, that Criminal Investigation of Bella Vista Sheriff's Office failed to honor law and did obstruct justice at time of the investigation. With obstruction of justice pled it is suspected that Judge

Waters would have realized his Plaintiff could not file any correct complaint. The 12/9/92 document was still concealed.

33. As a result of that disclosure, Hoffmann sought help from the Arkansas State Police and the libel of Brad Butler, who can not render medical opinions as a lawyer, not a doctor, has attempted to block the state investigation in 12/17/98. Upon receipt of that letter of Mr. Butler to Mr. Fogley, petitioner, confronted the Prosecutor Butler with his "mental problems" that are fantasy.

She was treated in Dallas, where toxic material was attempted to be removed from the tissues, not in a mental institution. Brain damage was, however, ascertained, presumably for wrong treatment of a disease. Advanced Imaging, located in the Cooper Sports Medicine Complex houses a sophisticated triple density spec scan. Dr. Theodore R. Simon, M.D. reported temporal asymmetry on 6/24/97, and reports that disease affects memory loss difficulties. His findings render this document more of a miracle than a legal challenge.

34. Hoffmann traveled to Little Rock to meet with agencies who CAN make a difference. Lt. Darrell Stayton, special operations, related as both a cop and a lawyer. Because he is the investigator, he is restricted by law from special prosecution.

Stephanie Roberts has her special prosecutor by "alleged" "sleeping" with Butler. I have seen him sexually harass his office staff and criticized him for it to his face.

Mark Mc Beth's clients have their help; but Hoffmann waits for a fair moment in court history. "Justice is blind" says Chief Justice Marshall, but the judges Hoffmann has dealt with are not.

35. On July 5, and 6, 1999, three parties filed complaints to the judicial leaders of the 19th. Circuit Court of Benton County, Arkansas, alleging civil rights violations upon them by the prosecuting attorney. Petitioner became the third complaint filed, asking for special prosecutor to be appointed. Attorney Foster of Conway, Arkansas will join a special judge to handle the issues of alleged sex problems.

Three civil judges recused simultaneously; because of allegations against the Prosecuting Attorney, Brad Butler.

Petitions from the other two complainants include forced sexual relations with the prosecutor, promised for help. Hoffmann is not pretty enough, young enough, or "crazy" enough to secure justice in that manner, but young citizens are duped when justice fails.

No sexual activity exists for this grandmother with a cause to secure justice, but Butler violated the same defense laws when as a lawyer, he labeled the victims of sexual relations as "mental problems. " and the same for this party to "block a state investigation." Butler has public record on 3/7/97 and 12/17/98 libel against Petitioner.

36. Chief Justice Dub Arnold has approved the appointment of a special prosecutor and judge from Conway, Arkansas.

37. On 11/30/98, Hoffmann was asked by the FBI to file her FOIA that needs a lawyer to fill it out. Hoffmann was happy to deal with Linda Dahley, while Chief Counsel Frazier protected his Fayetteville FBI men. (App. 92-8)

On 6/14/99, Steven Frazier advised civil actions exist when a theft across state lines happen. The Bureau won't consider the cause as they have 60,000 citizens in Pulaski County with only 30 staff members to control the needs of those local citizens.

38. Steven Frazier refused service to an ADA qualified party as chief counsel to the FBI. The cost of civil pursuit can become prohibitive. Federal Bureau of Investigation responded with denial.

39. On 4/1/99, pending a $2300 HCFA review, Hoffmann traveled to Ft. Smith for aid from Congressman Hutchinson in Medicare problems. Since 1997, filing delay of consideration of $9,000, filed as $2,300, makes reimbursement difficult.

40. While in Ft. Smith, Hoffmann visited with Deputy United States Attorney David Ferguson, who found "12/9/92 statements "of interest. He must however have a referral. Information supports statements of hardship

41. On 6/16/98 Hoffmann's delinquent real estate taxes cost forfeiture of her home to the state to be held by Commissioner of Lands. Charlie Daniels was provided records, but had no jurisdiction to aid. Daniels and Waters both cared about rights, but Hoffmann's were not those aided.

Clerk Hodges, who rendered the misprision, may find she must sell the home of Hoffmann on 6/16/2000 for her actions which hurt her citizen.

42. The Pershore home was paid off in 1996, without accounting. Moot is insurance adjustments while the policy excluded coverage of property under repair.

How can Hoffmann plead that when it is hidden? She asked for information. It didn't come from the co-defendants, but from the state insurance group, stating they see no fraud and listed in the App. 52-7) Returned in the denied claim was fraud documents.

43. Hoffmann lived without heat, hot water, Lifeline, since phone service asking for help has not been paid in full, but is monthly paid a small amount. To consider personal bankruptcy seemed like a poor trick to pull on trusting innocent creditors since someone had hurt the Appellant.Petitioner secured the patience of those creditors instead. Nearly nine years have passed since the first jurisdictional arrangement by Pace and Dossey.

44. What Hoffmann lacked in ability and funds, she had in faith. No one could grant aid if she did not ask. That the U. S. District Court had a right to request fact is evident. It is good law, but not being able to respond is bad law, if fraud has occurred.

45. Judge Waters graciously responded beautifully each time, but no one else answered the Complaint. No rights of the co-defendants have been protected, as an "untrained"

victim struggled against wrong, yet they become respondents here.

46. While fraud existed previously, Bank asked Twamley to breach joint tenant rights. (Bank letters of 6/24/93 and 7/23/93.)

Twamley breached the endorsement of 8/6/93 on 8/10/93, but the Bank sued Hoffmann, not Twamley. Order of 3/17/94 is based on fraud and perjury and undisclosed truth in CrossClaim of 12/15/93. No corrective action has been secured. E-93-1186-2 ordering that action had misprisioned jurisdiction.

47. On 5/12/99, Hoffmann asked to make an appointment with Sheriff Andy Lee to discuss credit reporting fraud in collections of Pace to Trans Union from at least 1995 to 4/12/99, and presumably continuing. Lee refused service, prohibited action under Americans With Disability law. Service requested from Prosecutor Butler in 5/13/97 has not been handled either, denied.

48. Sheriff Lee's staff advised Hoffmann must be accompanied by her state legislator. Geoff Buchanan has reporting fraud.

49. Michael McCauley interviewed as counsel, believed in the merit, but needs one year and $120,000 retainer to close his practice and become private counsel. Due to credit reporting fraud which includes $4148 of charges for Mr. Pace in the False Satisfaction of Judgment and the Fraudulent Conveyance of 2/11/93 and 2/19/93, it appears credit reporting fraud will keep a loan of retainer of $120,000 from being secured.

In 1995 when Summary Judgment on false affidavits garnished Hoffmann's account, she was left with 47 cents for 23 days on which to live. Simmons Bank began to support because they could not loan $500 to Hoffmann for an appeal and denied credit. One of the reasons was Hoffmann was a pro se, a discriminatory statement and true.

50. When the officer of the bank considered his statement he apologized and the bank has supported to their own yielding of services fees, just not loaning money. It would appear that checks and balances have been factors that stopped access to justice.

51. "Under the Rules Enabling Act (28 U.S.C. Sections 2071 et. seq.) hereafter "Enabling Act," the Supreme Court has been empowered to adopt rules of procedure for the district courts, appeals courts, and other federal courts."

52. Judge Waters in rejecting Complaint filed as 98-5162, under authority granted him, never knew he had a unique complaint that began in 1990 and continued to the present, affecting the rulings of two states -- both Arkansas and Wyoming, lacking jurisdiction.

Appeal Number 99-1182 is specifically the petition to hear the 1993 actions from that entire legal issue of various courts of the State of Arkansas, and the 2nd. District Court of the State of Wyoming, as affected by untried 1993 action in prior submissions. Undue process of law in Arkansas eliminates Dossey's client from Uniform Foreign Judgment Action in Wyoming. Sandstrom v. Sandstrom 800 P. 2d 103 (Wyo. 1994) . (App. 105-6)

53. NEW EVIDENCE since filing of 98-5162 opens the appeal to Writ of Certiorari. No hearing has been had. No guarantee of trial or jury has been given.

54. On 12/4/98, a Notice of Appeals was submitted to the United States Court of Appeals of the Eighth Circuit and "crossed - mail" on February 22, 1999 delayed the time for Petition for Rehearing En Banc. Response was present if the court chose to accept it, but a Petition for Rehearing en Banc was the means of entry and with a "one shot only," it was critical and required not to err. However Compaq 2500 did not understand the importance of those rules.

55. Computer failure on 3/6/99, rendered the case lost; only electronic filing was possible as the program was lost after twelve hours of work.

Lack of skill in the new computer did not aid the cause. The work was redone the following day, but no means to secure entry to St. Louis was available. On 3/8/99, in phone communication with a deputy clerk of the Eighth Court of Appeals, coordinator Marilyn was absent. A belated petition was suggested, though explicit rules existed.

Electronic transfers that were described in the Rogers Library Internet Local Rules Rule 25(A) were not clear that they applied to only STAYS OF EXECUTION. (App. 18)

56. Pursuant to 3/8/99, and failure of the Compaq Presario, replaced 4/1/99 under warranty by the Tandy Corporation and Microsolf Works Software, the only avenue remaining was electronic filing. (App. 16-17)

When the Tandy 2500 and Compaq monitor went down at the last editing before placing it on overnight guaranteed delivery by Federal Express, the only avenue to justice lay in purported electronic filing on Monday.

On 3/8/99, petitioner contacted the Eighth Court of Appeals, following a hearing in the 19th. Judicial Circuit Court which precluded driving the document to Saint Louis, to request means of electronic filing.

At that time, deputy clerk advised there is no electronic filing, and a question of the local rules was raised. The clerk confirmed that the rules do allow for electronic filing and suggested a belated or supplemental petition be requested, since a system of word processing can fail.

She also stated that the electronic filing is usually reserved for stays of execution. Such restrictions never occurred to the petitioner, because Local Rules of the Eighth Court of Appeals, page 5, were secured from the Rogers, Arkansas library and appeared to be available to all. Lawyers would have known such did not exist, but the library document did not exclude such.

The case appeared lost, due computer failure and lack of technical causes beyond the scope of the Appellant.

57. The Eighth Court of Appeals dismissed the Petition as untimely, and Hoffmann's failure to have a computer that was working although both the printer and monitor were replaced by Radio Shack, under warranty seemed to cause a loss of civil rights.

58. In the back of the Appellant's mind was that justice has to exist. If it does, it has to be appealed. Where? To the United States Supreme Court wherein that one court is able to make local rules.

59. Because Judge Waters cared about his service being right, Petitioner cared to give him hers as right as she could. She pleads for Writ of Certiorari to the United States Supreme Court, not as a frivolous complainant, but as one having given everything to justice, but one last effort. Justice is here or nowhere. I have given it all.

60. In full commitment to justice, and apology to pleading to protect rights without skill, but not merit or need; this Petitioner prays for First Amendment rights. She is guaranteed a right of redress for grievances.

REASONS FOR GRANTING THE WRIT....

"Under Section 2 of Article III, (t)he Judicial Power shall extend to all Cases, in Law and Equity, arising under the Constitution, the Laws of the United States...to all cases and Controversies between Citizens and corporations and of different States.

The Constitution does not expressly grant power to any other court, except the Supreme Court. Congress has been given the power to create other courts thereafter, as such." Access to justice exists only here, due unique and complicated problems of long, long suffering and lack of jurisdiction

"Because the authority and powers of the federal judiciary system are established by the Constitution, federal courts are of limited jurisdiction." Judge Waters had grave jurisdiction to bring justice to a criminal action discovered after the filing of the case.

POINT I ...Access to justice /authority exists no where else and the First Amendment allows for redress of civil wrong or the binding to the United States Attorney for probable cause issues of men who have pledged to uphold law, not make law or make crime.

Under Rule 8 of the Rules of the Supreme Court of the United States, members who engage in conduct unbecoming a member of the Bar may be brought for discipline and disbarment.

Because of local rules that can only be made in this Supreme Court, four lawyers are herein Defendants as they engaged in corrupt and criminal actions arising from civil representation and lack of jurisdiction evident to the trained eye. SUCH behavior IS unbecoming to members of the Bar.

POINT II....Obstructed service renders criminal action from civil complaint. Pro Se's are not qualified to perform this task reserve to prosecutors. Hoffmann's has been alleged in misconduct. A referral to the United States Attorney may allow correct filing of a complaint. Mark Mc Beth's had seven offenses against the six of his clients; Hoffmann's total is over 400 offenses from at least six parties, four of them here.

61 The Opinion of 4/14/99 has been satisfied by payment of $105.00 to the trial court. The filing fee of $300.00 has been held by the Clerk until this Petition arrived to be considered.

Forty copies of the petition are submitted to guarantee arrival in Washington on August 3, 1999 and be serviced here too. Petitioner prays the cause of justice will be extended to victims who choose to fight in honor, not dishonor, though sometimes needing special needs met.

Not a judge's position is disrespected. Instead because of great respect, petitioner Jo Ann Hoffmann comes untrained and hurt to ask for a right to redress recovery as she listed in the complaint and in subsequent pleadings, identified as a problem of lack of ability to discover and no access to justice

It is the prayer to recover the losses of the courts that lack jurisdiction, and such has been allowed in precedence cases of Black vs. Merritt, supra. .

To find for jurisdiction and identify due process of law is also a prayer to the end of recovery of lost assets.

Because of precedence case in the First US Circuit Court of Appeals in a class action suit against Sears for continuing to charge and collect against those released by court order of a bankruptcy in he 10/27/97 judgment of $25,000,000, Petitioner asked for the same.

A court order likewise was to free her, not burden her. The parties who first breached law by illegal and negligent disrespect of joint tenant rights and who conspired therefore is the Bank of Bentonville, and the four professions brought for justice.

Tim Twamley was a victim of injustice too, but turned a different way. Here he was the instrument of delivery of fraud.

As such, the action for criminal prosecution should be considered and bound to the United States Attorney as Twamley entered an agreement with the bank and knew action was not forthright.

To find means that the civil rights of the mentally impaired be as respected as those of the criminals and representation be made available is prayed for.

CONCLUSION

To uphold the ideals of Justice in order that "Justice" is not just a myth, but justification for sacrifice in belief that those standards lead our nation and bring to justice with treble recovery as allowed under §5-37-226 (c) is prayer one.

Hoffmann has brought five parties to this court for consideration of wrong doing. Four lawyers are brought for Rule 8 considerations. A bank is brought for credit fraud; consumer and insurance fraud; and for theft of property by conspiring without disclosure to courts of merit and to the joint tenant. Two innocent women who bought a home lacking merit to order it sold, are likewise to find problems as they attempt to claim their rights later. It still is mine..

If nothing else came from this petition, it could serve as a "probable cause affidavit to all courts dealing with petitioner and other lawyers. As a probable cause affidavit, merit is established for referral to a federal agency with jurisdiction.

Gifting of tower buildings valued at $600,000 when one is not a registered lobbyist, cannot fail to purchase favor of judges who need space, and clean facilities. The gift should be restricted by stay or should be matched to every county in Arkansas to indicate lack of impartiality. There are 100 counties, most in ADA non-compliance.

For reasons presented, the petition for a writ of certiorari should be granted.

Respectfully resubmitted,

Jo Ann Hoffmann

Jo Ann Hoffmann, Pro Se Petitioner
10 Pershore Lane
Bella Vista, Arkansas
501-855-0303 message only

UNITED STATES COURT OF APPEALS OR THE EIGHTH CIRCUIT

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

NO. 99-1182WAF
Jo Ann Hoffman (sic)*
*
Appellant, * Order denying Petition for
* Rehearing and for Rehearing
v. * En Banc
*
Tim Twamley, et al, *
*
Appellees *

The petition for rehearing en banc is denied as untimely filed. The petition for rehearing by the panel is also denied as untimely.

(5128-010199)

April 14, 1999

Order Entered at the Direction of the Court:

"s/Michael E. Gans"
Michael E. Gans
Clerk, U.S. Court of Appeals, Eighth Circuit
NO. 99-1182WAF

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

NO. 99-1182WAF	*	
Jo Ann Hoffmann	*	
	*	
Appellant,	*	
	*	Appeal from the United States
vs	*	District Court for the Western
	*	District of Arkansas
	*	
Tim Twamley, d/b/a	*	
Bella Vista Builders,	*	
Bank of Bentonville,	*	
Bentonville, AR,	*	
Rickard Hood, Attorney;	*	
Jerry Dossey, Attorney;	*	
J. Robin Pace, Attorney;	*	
David G. Nixon, Attorney,	*	

Appellees

JUDGMENT

Appellant's motion for leave to proceed in forma pauperis has been considered by the court and is denied.

This court has reviewed the original file of the United States District Court. It is ordered by the court that the judgment of the district court is summarily affirmed.

See Eight Circuit Rule 47 A(a).

February 22, 1999

Order Entered at the Direction of the Court:
"s/Michael E. Gans"
Michael E. Gans
Clerk, U.S. Court of Appeals, Eighth Circuit

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT
U.S. COURT & CUSTOM HOUSE
1114 MARKET STREET
ST. LOUIS, MISSOURI 63101

MICHAEL E. GANS
CLERK OF COURT

VOICE (314) 539-3600
ABBS (800) 652-8671

IS.WUSTL.EDU/8TH.CIR

February 22, 1999

Ms. Jo Ann Hoffmann
10 Pershore Lane
Bella Vista, AR 72714

Re: 99-1182 Jo Ann Hoffman (sic) vs. Tim Twamley

Dear Ms. Hoffmann:

Enclosed is a copy of the dispositive order entered today in the above case.

Please review Federal Rules of Appellate Procedure and the Eighth Circuit Rules on Post-Submission procedure to ensure that any contemplated filing is timely and in compliance with the rules. Note particularly that petitions for rehearing and petitions for rehearing en banc must be received in the clerk's office within 14 days of the date of the entry of judgment. No grace period for mailing is allowed, and the date of the postmark is irrelevant. Any petition for hearing or petition for rehearing en banc which is not received within the 14 day period for filing permitted by FRAP 40 may be denied as untimely.

The appellant is reminded that he is liable for payment of the $105.00 appellate filing and docket fees, regardless of the result in the case. Payment should be made payable and forwarded to the clerk of the **United States District Court** and should indicate the district court case number and that payment is for the appellate fees.

Sincerely,

"s/Michael E. Gans"
Michael E. Gans
Clerk of Court

dms

Enclosure (s)

CC: Hon. H. Franklin Waters
Christopher R. Johnson

District Court/Agency Case Number (s): 98-5162

JO ANN HOFFMANN

10 PERSHORE LANE
BELLA VISTA, ARKANSAS 72714-4316

Phone 501-855-0303 MESSAGE ONLY
Fax THE PRINT STOP 501-855-0304
(2/22/99 added herein)

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT
US. COURT AND CUSTOM HOUSE
1114 MARKET STREET
ST. LOUIS, MISSOURI 63101

ATTN.: MICHAEL E. GANS
CLERK OF THE COURT

RE: 98-5162 APPEALED TO 99-1182WAF -- MATTER OF GOOD, NOT BAD, FAITH

DEAR MR. GANS:

PURSUANT TO THE OFFER OF JUDGE H. FRANKLIN WATERS THAT IF I BELIEVED THE COURT HAD ERRED, I ACCEPTED THAT OFFER AND FILED A NOTICE OF APPEAL TO HIS COURT. JUDGE WATERS, THEREAFTER FILED THE 1/7/99 STATEMENT OF BAD FAITH UNDER PROVISIONS OF 28 U.S.C. SECTION 1915 (a) (3) WHICH WOULD LIMIT MY APPEAL.

FOR SEVERAL DAYS I WAS NOT ABLE TO FIND THE

STATUTE TO REFERENCE AS THE BENTON COUNTY LAW LIBRARY IS LACKING THAT SET OF DOCUMENTS. FINALLY I WAS ABLE TO GO TO SPRINGDALE LIBRARY AND THE LIBRARIAN FOUND IT IN THE INTERNET. I HAVE A COMPUTER, BUT NO PHONE, AND AM NOT ABLE TO BE BLESSED BY SUCH A MEANS OF EDUCATION OTHER THAN WITH PUBLIC HELP.

SUBSEQUENTLY I HAD SENT YOU SUPPORTING DOCUMENTATION THAT I HAVE NOT BEEN BUYING PONTOON BOATS, ETC, BUT AM IN GREAT DEBT. HOWEVER, THANKS TO THE RESPONSE OF THE COURT OF H. FRANKLIN WATERS, I THOUGHT ABOUT THAT "PROPERTY SETTLEMENT AGREEMENT" THAT HAD RUINED MY LIFE, UNENFORCED FAIRLY. FINALLY I REALIZED THAT THE LACK OF JUDICIAL ENFORCEMENT WOULD BE PERFECT NOW TO RESPOND TO THE IRS. I FINALLY HAD THE ACORN THAT WOULD ALLOW ME TO ESCAPE THE $32,455 BILL THEY WERE DELIVERING TO ME FOR TAXES RENDERED BY LEGAL ENTRAPMENT. AS I PREPARED "I CAN'T BE TAXED ON FRAUD I DID NOT COMMIT" LETTER, THE PATTERN OF THE FRAUD FROM 1992 TO 1999 HAD BECOME APPARENT.

HOPEFULLY THE COURT WILL ALLOW THE ONLY MEANS I HAVE TO PURSUE JUSTICE, WHICH IS BY CIVIL ACTION. THERE IS NO QUESTION THAT JUDGE WATERS WOULD BE BURDENED WITH A PRO SE App.

CANDIDATE; NOR DOES HE DESERVE SUCH, BUT THE DELIVERY OF ANOTHER ANSWER FROM 2/11/99 SEEMS TO CONFIRM THE PROBLEM FOR ME. I SIMPLY AM AS ENCUMBERED BY LACK OF ABILITY TO GET REPRESENTATION OR WHEN I GET IT, I CAN'T AFFORD THE LOSS THEY INFLICT UPON ME.

I FEEL LIKE A HOUSE MANAGER IN AN IMPEACHMENT SERIES, AS THE MANAGERS WERE THREATENED WITH RETALIATION IN THE FORM OF NO WORK. I HAVE NO LAWYER. THE ONES I HAVE HAD WOULD BE HARD TO DEFEND THEIR POSITIONS NOW WITH DISCLOSURES.

I ENCLOSE ONLY THE AFFIDAVIT AND THE ANSWER OF 99-74-1 TO WHICH IT RESPONDS NOTING TO THE COURT THAT ON PAGE 3 THE CO-DEFENDANT RESPONDS IN THE ANSWER WITH FACT THAT THE COURT IN THAT CASE FOREWARNED HER OF REGRETTABLE REPRESENTATION. SINCE I HAD NOT APPEARED BEFORE THIS COURT, I FEEL THIS CONFIRMS UNDUE BURDEN UPON THIS LITIGANT. IF NO ONE MAKES IT POSSIBLE FOR ME TO HAVE CIVIL ACTION, WHAT IS LEFT?

NO COURT SHOULD BE ADMONISHING A LAWYER THAT SHE MIGHT REGRET TAKING A CLIENT IF THAT COURT IS TRYING THE CASE. SURELY SOMETHING IS WRONG IN THIS COUNTY THAT WOULD ABUSE SUCH A LITIGANT AS I. IT CONFIRMS FACT THAT JUSTICE IS DIFFICULT TO COME BY FOR THIS GRANDMOTHER.

PLEASE NOTE AS WELL THAT I CONFIRM LACK OF SKILL; BUT TRUTH I DO HAVE. I HAVE NEVER FILED A BAD FAITH ANYTHING SINCE I WAS SEVEN YEARS OLD, CAUGHT DEPOSITING SCHOOL BANK MONEY

ONLY HALF TO THE PROGRAM AND HALF TO THE CANDY STORE ACROSS THE STREET FROM THE SCHOOL, AND TOO DUMB TO KNOW AN ACCOUNTING WOULD COME IN JUNE WHEN THE BANK BOOK WENT HOME, SHY OF HALF THE FUNDS.

AT SIX YEARS OLD, MY FIRST YEAR OF SCHOOL, ETHICS WERE OF NO CONSEQUENCE TO ME. HOWEVER, I ATTENDED A FORCED SEMINAR CALLED “WHIPPING” AND HAD TO SIT ON THE PORCH EVERY AFTERNOON FOR A WEEK IN PAJAMAS AND WATCH MY PEERS PLAY. THEY KNEW I WAS A THIEF. WHAT A LESSON IN ETHICS I LEARNED! SINCE THEN I AM ALMOST TO A FAULT THE OTHER WAY -- ATTEMPTING TO BE HONEST.

THEREFORE, I WAS DEEPLY HURT BY JUDGE WATERS’ STATEMENT OF BAD FAITH. I MUST OPPOSE HIS STATEMENT, AND ONLY PETITION THE COURT TO CONSIDER THAT A NEGATIVE NET WORTH IS CERTAINLY MORE POVERTY THAN SOMEONE WHO HAD POOR CREDITORS AND NO ASSETS. IF YOU ADDED ALL OF MINE, I WOULD STILL BE IN NEGATIVE NET WORTH, THANKS MOSTLY TO THESE CODEFENDANTS BROUGHT HERE..

PERSONAL BANKRUPTCY HAS BEEN QUESTIONED BY THE JUDICIAL COMMISSION. I SIMPLY FAIL TO SEE

HOW CHEATING SOMEONE ELSE WHO TRUSTED ME WOULD SOLVE MY PROBLEMS IN WHICH I WAS CHEATED.

MURDER IS LIKEWISE AN OPTION, BUT RARELY IS IT SUGGESTED. I HAVE REJECTED THAT ONE TOO, AS IT IS ANTI-SOCIAL AND A CRIMINAL ACT. I SO FAR HAVE HIT MY HEAD AGAINST MANY BENCHES, BUT I HAVE DONE IT IN CIVIL ACTION - PURSUANT TO THE REQUIREMENTS OF THE CODE.

HOWEVER, AMENDING TAXES AND DECLARING UNDER THE PSA THAT GOVERNS MY LIFE THAT I CANT BE TAXED ON FRAUD I DID NOT MAKE CONTINUES TO BE A VIABLE OPTION. MY APPEAL HAS BEEN HEARD IN OKLAHOMA CITY, AND IRS IS MOBILIZING TO SEE WHAT THEY CAN DO. MEANWHILE I UNDERSTAND ADA BREACHES ARE BEING CONSIDERED BY THE DEPARTMENT OF JUSTICE.

I ONLY KNOW THIS ONE FACT; AND THAT IS THAT JUSTICE IS SUPPOSE TO EXIST. WHO WOULD EVER BELIEVE I WOULD BE BLESSED TO HAVE A PANEL OF JUDGES EVALUATING MY CLAIM IN THE EIGHTH COURT OF APPEALS, BUT I CAN NOT BE GRANTED A YEA OR A NAY, UNTIL I RESPECTFULLY REQUEST IT.

I HAVE NOT HIT AT JUDGE WATERS WITH DISRESPECT. IT HURTS ME TO EVEN TELL HIM HE MAY BE WRONG, BUT I HAVE NO CHOICE IF I AM GOING TO PURSUE THAT ELUSIVE LADY CALLED "JUSTICE." I KNOW SHE IS THERE. I ALSO KNOW CRIME IS A WRONG THAT HAS TO BE MADE RIGHT.

IN THE PURSUIT OF JUSTICE, DISCLOSURE HAS BEEN RENDERED SLOWLY BUT SOME HAS LEAKED OUT TO BE AVAILABLE TO DECLARE THAT A BANK FRAUD HAS EXISTED AND THAT FRAUDULENT.

CONCEALMENT FOR THE PURPOSE OF FRAUDULENT CONVERSION IN A BREACH -- FACTUALLY THREE INCIDENTS -- OF JOINT TENANT WITH RIGHTS OF SURVIVORSHIP OCCURRED.

AS A RESULT FRAUDULENT CONVEYANCE TRANSPIRED. AS SUCH, THE PAST CITATIONS OF CONTEMPT FILED BY THE LAWYERS IN MY BEHALF MUST BE REINSTATED.

THE COURTS IN MY HOME COUNTY HAVE NOT HONORED THE JURISDICTION, AND THE RIGHTS OF THIS APPELLANT IN THE ARKANSAS COURT OF APPEALS AND PETITIONED FOR RECONSIDERATION TO THE ARKANSAS SUPREME COURT HAVE BEEN BREACHED AS WELL. EVERY LITIGANT HAS A RIGHT TO KNOW WHEREIN HER JURISDICTION LIES.

IF I AM RIGHT, THE FOUR LAWYERS WHO ARE CO-DEFENDANTS AND WHO PRESENTLY BURDEN MY CREDIT REPORTING FRAUD, MY RIGHT TO LITIGATION, AND MY CIVIL RIGHTS BY ONGOING ACTION SHOULD BE REPRIMANDED -- WHETHER I RECOVERED ANYTHING AT ALL.

LAWYERS ARE LEADERS WHO SHOULD NOT CHEAT TO BEAT. IF THEY HAVE TO DO IT AGAINST A BRAIN

DAMAGED LITIGANT, THEY HAVE A REAL PROBLEM THAT ONLY JUDGES OF THE QUALITY OF THE EIGHTH CAN HANDLE.

I HAVE NEVER FILED A BAD FAITH CLAIM OR ANY OTHER WRONG SINCE I WAS A LITTLE GIRL WITH NO MORAL TRAINING. I GOT A FULL BLOWN COURSE IN

THAT ONE WEEK, AND I RECOMMEND SUCH FOR CHILDREN IN TODAY'S SOCIETY. IT DID NOT TAKE A JAIL; NOR A COURT ORDER TO BREAK IN DEFIANCE. IT SIMPLY TOOK THE UPHOLDING OF FAMILY LAW MET WITH JUSTICE AND HONOR.

AT A TENDER AGE, I LEARNED WELL, IMPRESSED FROM THE BOTTOM UP.

MY APOLOGY TO JUDGE WATERS FOR THE BURDEN HE HAS ENDURED WELL, BUT I HAVE A RIGHT TO LITIGATION AND CHOSE THAT MANNER OF BATTLE OVER CRIME. WHOEVER HEARS THE CASE WILL NEED TO BE A VERY SPECIAL PERSON OR PERSONS. PRO SE GRANDMOTHERS SHOULD BE LEARNING KNITTING, SEWING, BAKING, FINANCES, BUT RARELY LAW. THEY CERTAINLY DON'T NEED TO DO IT IN SELF DEFENSE EFFORTS.

BECAUSE I DO NOT EVEN KNOW WHAT IS TRANSPIRING AT THE EIGHTH, BUT I CAN ONLY TRUST TO THEIR MERCY AND THEIR FAIRNESS, I THANK THE JUSTICES WHO WILL TAKE TIME FROM WELL FILED DOCUMENTS TO EVEN CONSIDER A PROBLEM BELONGING TO ME.

I THANK MY FOREFATHERS FOR MAKING IT POSSIBLE FOR ME TO COME WITH HONOR. I REGRET I AM DAMAGED, BUT MY STATE PROTECTS THE CRIMINAL RIGHTS OF MENTALLY IMPAIRED FOLKS, BUT NOT THE CIVIL RIGHTS, AN INEQUITY.

MY STATE LEGISLATURE ALSO PLANNED FOR ATTORNEYS WHO ERR TO BE DISCIPLINED, BUT SOMETIMES THEY ESCAPE THAT FAMILY DISCIPLINE OF THEIR PEERS. IF MY MOTHER HAD NOT CARED TO DISCIPLINE ME, I WOULD HAVE NOT BEEN THE PARTY I AM TODAY. PLEASE DO NOT OVERLOOK THE DISCIPLINE OF YOUR FAMILY, THE BROTHERS OF LAW WHO I STATE HAVE BREACHED IT.

ANYONE CAN MAKE A MISTAKE, BUT PURPOSEFULLY BREAKING TRUST AND HONOR BECAUSE YOU HAVE A LAW DEGREE DOES NOT ENHANCE THE FAMILY OF LAWYERS. MY MOM CARED. I TRUST YOU WILL TOO, THE PREFACE OF THE MODEL RULES OF PROFESSIONAL CONDUCT INDICATES YOU DO. I DO TOO, THEREFORE, I SOUGHT THE HONOR OF CIVIL ACTION.

THANK YOU FOR ALLOWING ME TO STATE MY SIMPLE BELIEFS -- LEARNED IN ETHICS 101 ON THE FRONT PORCH MANY YEARS AGO.

ATTACHED YOU WILL FIND LESS NOSTALGIC MATERIAL, BUT YOU WILL ALSO FIND THAT THERE APPEARS TO BE A PROBLEM THAT PERHAPS YOU CAN CONSIDER. LITIGANTS SHOULD NOT BE SHOT DOWN BEFORE THEY ENTER A CASE. IF I AM NOT

WANTED, I NEED TO HAVE A MEANS TO GET A LEGAL BEAGLE WHO HAS A GOOD NOSE AND CAN'T BE ENTICED WITH TREATS.

FOR THE BANK, A NON-LOBBYIST TO GIFT $600,000 FOR A TOWER BUILDING TO HELP THE COUNTY BECOME ADA CERTIFIED, IS BEAUTIFUL. BUT TO DO SO WITHIN FIFTEEN DAYS OF A PRIMARY ELECTION AND GIVE MORE THAN ALLOWED UNLESS IT IS A REGISTERED LOBBYIST, APPEARS TO BE ONE OF THOSE CONSIDERATIONS THAT HAS BEEN A PROBLEM TO ME. I DON'T HAVE ENOUGH FUNDS TO BENEFIT THE COURT SYSTEM IN THE SAME WAY.

THE MODEL RULES OF PROFESSIONAL CONDUCT DISCOURAGE THE GIFTING OF SUCH BLESSINGS TO SEEK FAVOR OF JUDGES. SINCE THERE IS NO WAY THAT $600,000 CAN NOT PLEASE A JUDICIAL HONOR, IT APPEARS A NOTE WELL WORTHY OF CONSIDERATION.

I HAVE NOT PURCHASED THE FAVOR OF JUDGES. I HAVE BEEN CALLED UNPROFITABLE TO THE REPUBLICAN PARTY, BUT I CAN SHARE THAT EQUALLY WITH THE DEMOCRATIC PARTY. AFTER TAKING CIVIL ACTION, THERE WAS NOTHING LEFT TO SHARE, THANKS TO ELECTED REPUBLICAN OFFICERS OF THE SYSTEM.

MY CLAIM WAS FILED IN GOOD FAITH; UNLESS JUDGE WATERS MEANS THAT BECAUSE IT IS A CRIMINAL MATTER, DUE BANK FRAUD, IT BELONGS

IN A LAWSUIT WITH A UNITED STATES ATTORNEY HANDLING IT. SINCE I CAN'T ENTICE THAT ACTION, AND SINCE THE STATE LEGISLATURE HAS RESTRICTED MATTERS BEFORE JUDGES FROM ASSISTANCE, THAT PROBLEM ENCUMBERS ME FURTHER. IT APPEARS THE STATE LEGISLATURE HAD RESTRICTED MY CHECKS AND BALANCES, A GUARANTEE OF THE CONSTITUTION OF THE UNITED STATES.

THE MAN WHO WAS LAME RESPONDED THAT HE HAD NO ONE TO PLACE HIM IN THE WATERS WHEN THEY MOVED.

I HAVE HAD SOMEONE PLACE ME IN THE WATERS, AND HOLD ME UNDER. BUT I STILL SURVIVED. I BROUGHT THOSE LAWYERS TO THIS COURT AND THE BANK THAT ONE SHOULD BE ABLE TO TRUST BUT WHOSE RECORD HIDDEN FRAUDULENTLY NOW IS SURFACING TO SHOW THEY WERE NOT TRUSTWORTHY.

SIX HUNDRED THOUSAND DOLLARS IS A LOT OF FAVOR; MY LESSON IN ETHICS WAS $.25 A WEEK FOR ABOUT EIGHT MONTHS -- ABOUT $8.00.

THE PHYSICAL AND MENTAL DAMAGE THE COURT MAY OBSERVE IS EMBARRASSING TO ME. IT WAS CAUSED BY TREATMENT FOR A WRONG DISEASE FOR OVER FORTY YEARS BY MILITARY MEDICINE AS AN AIR FORCE WIFE. PRIOR TO

THAT ERROR, I GRADUATED MOST OUTSTANDING GRADUATE IN MY COLLEGE CLASS AND WON THE

FORD FOUNDATION SCHOLARSHIP FOR THE ADVANCEMENT OF EDUCATION. I LEARNED AS A CHILD THAT NOTHING IS IMPOSSIBLE UNLESS YOU DO NOT TRY. WHEN I LATER REREAD THOSE BAD DOCUMENTS, I CONCUR WITH JUDGE WATERS; THEY ARE AWFUL, BUT THEY WERE ALL I HAD -- A DAMAGED LITIGANT TRYING.

THANK YOU FOR GIVING ME THAT OPPORTUNITY TO TELL YOU WHY I AM A PROBLEM; BUT I DID NOT CREATE THE PROBLEM. I DON'T LIKE IT EITHER, BUT I REJECT ABUSE IN ANY FORM. THAT REJECTION HAS LED ME TO THIS DISTINGUISHED GROUP OF JUDGES, AN AWESOME ENDEAVOR.

THE BURDEN IS A HEAVY ONE; IT HAS BEEN TENDERLY CARRIED FOR OVER EIGHT YEARS, AND IS GENTLY LAID AT THE BAR OF JUSTICE OF THE EIGHTH COURT OF APPEALS. I MAY SAY IT POORLY, OR I MAY SAY IT SIMPLY, BUT I BRING THE PROBLEM FOR A SOLUTION. IT IS NOT AN EASY ONE TO HANDLE, BUT EVEN DAMAGED, DISABLED AMERICAN CITIZENS HAVE RIGHTS TO HAVE DISPUTES SETTLED FAIRLY.

I AM HONORED TO HAVE BEEN GIVEN THE OPPORTUNITY TO TRUST.

THANK YOU FOR YOUR CONSIDERATIONS.

RESPECTFULLY SUBMITTED THIS 22ND DAY OF FEBRUARY, 1999 AND MAILED BY US. MAIL TO THE ADDRESS ABOVE.
"s/JO ANN HOFFMANN"
JO ANN HOFFMANN APPELLANT, 99-1182WAF

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT
U.S. COURT & CUSTOM HOUSE
1114 MARKET STREET
ST. LOUIS, MISSOURI 63101

MICHAEL E. GANS
CLERK OF COURT

VOICE (314) 539-3600
ABBS (800) 652-8671
IS.WUSTL.EDU/8TH.CIR

March 4, 1999

Ms. Jo Ann Hoffmann
10 Pershore Lane
Bella Vista, AR 72714

Re: 99-1182 Jo Ann Hoffman (sic) vs. Tim Twamley

Dear Ms. Hoffmann:

On February 22, 1999, you sent a letter to Mr. Gans, which we received on February 25. Your letter apparently crossed in the mail with a judgment dated February 22, summarily affirming the district court. If you wish for your February 22 letter to be construed as a petition for rehearing or you wish to file another petition, please let us know by March 8, 1999.

Sincerely,

"s/Michael E. Gans"
Michael E. Gans
Clerk of Court

dms
Enclosure (s)

District Court/Agency Case Number (s):

98-5162

3/6/99

COMPUTER FAILURE CLOSES CASE WITH ELECTRONIC FILING LISTED UNDER LOCAL RULE 25(A)

TANDY INVOICE SHOWING REPLACEMENT OF ONE COMPONENT AFTER FAILURE

TANGY
SERVICE QUALITY SERVICE IS OUR
PRIORITY!
CENTER

SERVICE INVOICE

Retail Store # 22-7162 Service Invoice # 040017 Page 1 of 1

STORE VAUGHN ELECTRONIC CORP. HIWAY 71 NORTH
BENTONVILLE, ARKANSAS 71212-5043 Return NO
(501) 273-2213

SERVICED BY TICS -- FT. WORTH TX, 40-8804
2516 N.E. LOOP 820,
FT. WORTH TX 76016
BOB CALLED REGIONAL DIRECTOR KEN JONES
(817) 625-5982 (817)
625-4856

In Store	By In Center	Brand	Model	Catalog #
3/17/99(sic)	3/23/99	COMPAQ	MV700	

SERIAL #	Purr. Date	Warranty	In Out Fig
825CF19KE188	00/00/00	NEARED	X
		NEARED	X

Serve. Contract #

COMPLAINT/CONFAB: DEAD
CONDITION: GOOD
ACCESSORIES: NONE

Service Estimate

Proceed With Repair:	Authorized By		Labor
Return Unit Unprepared:	Customer	Date	Parts
No Response Received:	Store	Verified	Total

TECHNICAL SERVICES PERFORMED Complaint Code
(DEAD)
Service Code (TEL)

Qty	Part Number	Part Loc.	Description	Amount
1	3407-00-00	PART	MONITOR	.00

Technician Comments THE ABOVE PART (S).
TESTED ALL FUNCTIONS. UNIT CHECKS GOOD.
Starting Time: 830 AM 04/01/99 Parts Total .00
Completed Time: 0:855 04/01/99 Labor Total 35.00

Subtotal 35.00

Technician : ALEXANDER, M.

Q/C Should you have any questions regarding your repair, please call the service center at the number listed above. Thank you for your business!

Tax

NOTICE TO CUSTOMER: PLEASE READ IMPORTANT INFORMATION ON BACK CUSTOMER COPY Total

"RULE 25A: ELECTRONIC FILING AND NOTICING

(a) Electronic Filing. In cases or classes of cases as the clerk of court may select, the clerk is authorized to allow or to require any moving party to file a required document electronically. The electronic image of the document will constitute the original document for all court purposes. Filing is complete when the document is received in the clerk's database.

To each document filed electronically, the filer must add a certificate verifying that the original was signed by the attorney or party shown as the filer. The original signed document must be maintained by the filer for a period of not less than the maximum allowable time to complete the appellate process. Upon request, the original document must be provided to other parties or to the court.

The clerk may allow a district court clerk to transmit the notice of appeal and other documented documents electronically. Receipt of these documents is compete for filing purpose when they are received in the clerk's database.

The clerk may require paper copies of any document filed electronically."

Eighth Circuit Rules of Appellate Procedure p. 5 effective December, 1998

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT
U.S. COURT & CUSTOM HOUSE
1114 MARKET STREET
ST. LOUIS, MISSOURI 63101

MICHAEL E. GANS
CLERK OF COURT

VOICE (314) 539-3600
ABBS (800) 652-8671
IS.WUSTL.EDU/8TH. CIR

June 14,1999

Ms. Jo Ann Hoffmann
10 Pershore Lane
Bella Vista, AR 72714

Re: 99-1182 Jo Ann Hoffman (sic) vs. Tim Twamley

Dear Ms. Hoffman (sic):

This office is returning your notice of appeal to the Supreme Court of the United States in the referenced case. The proper method of seeking review in the Supreme Court is by preparing and filing with the Clerk of that court a petition for writ of certiorari. This office will not forward records unless requested by the Supreme Court nor will we act on motions for appointment of counsel.

For further information about the time for filing and the format of a petition for writ of certiorari, I urge you to immediately contact the clerk's office at the following address:

Mr. William Suter, Clerk
Supreme Court of the United States
1 First Street, N. E.
Washington, D.C. 20543

(5141-10199)

Sincerely,
"s/Michael E. Gans"
Michael E. Gans
Clerk of Court

mam
Enclosure (s)

District Court/Agency Case Number (s): 98-5162

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

JO ANN HOFFMANN PLAINTIFF

V. CIVIL NO. 98-5162

TIM TWAMLEY, ET AL. DEFENDANTS

ORDER

On this 7th. day of January, 1999, upon consideration of plaintiff's motion for leave to proceed in forma pauperis on appeal, the court find that said motion should be and hereby is denied. In accordance with the provisions of 28 U.S.C. §1915 (a) (3) the court certifies that any appeal of this case is not taken in good faith. (sic)

IT IS SO ORDERED.

"s/H. Franklin Waters
H. Franklin Waters
United States District Judge

U. S. DISTRICT COURT
WESTERN DIST. ARKANSAS
FILED

JAN 7 1999
CHRIS R. JOHNSON, CLERK,

BY "s/Connie Test"

U. S. District Court ruled on these dates:

09/21/98 in seeking subject matter letter.
10/02/98
10/28/98
11/04/98
12/04/98
01/07/99

US EIGHTH CIRCUIT RESPONDED

1/25/99
2/22/98
2/22/98 letter
2/22/98 letter/option to serve as Petition for Rehearing En Banc
03/4/99
04/1/99
05/4/99
05/7/99
6/14/99

PETITIONER STANDS IN HONOR OF THE COURTS.

ARKANSAS SUPREME COURT

IN THE ARKANSAS SUPREME COURT

JO ANN HOFFMANN
APPELLANT

VS.

BILLY W. BAKER
DEFENDANT

98-1224

ON APPEAL FROM THE CHANCERY COURT
OF THE 19TH. JUDICIAL CIRCUIT COURTS,. BENTON
COUNTY, ARKANSAS
CASE NO E-92-299-1

PRESIDING "SPECIAL JUDGE" HONORABLE MARY
SPENCER MCGOWAN
APPOINTED BY CHIEF JUSTICE JENSEN

RECUSED SIMULTANEOUSLY WERE THE FOLLOWING
FIVE JUDGES:

HONORABLE JUDGE OLIVER L. ADAMS
HONORABLE JUDGE DON R. HUFFMAN HONORABLE
JUDGE TOM KEITH
HONORABLE JUDGE TERRY CRABTREE (NOT
PARTICIPATING IN CA-97-01434)
HONORABLE JUDGE DAVID CLINGER

PETITION FOR REVIEW OF DETERMINATION OF COURT OF APPEALS

Submitted by

Jo Ann Hoffmann, Appellant
Former Pro Se Plaintiff, no affiliation
with a state bar association
10 Pershore Lane
Bella Vista, Arkansas 72714-4316
Message 501-855-4036

IN THE ARKANSAS SUPREME COURT

JO ANN HOFFMANN
APPELLANT

VS.

BILLY W. BAKER
DEFENDANT

98-1224

PETITION FOR REVIEW OF DETERMINATION OF COURT OF APPEALS

Comes now the Appellant, Jo Ann Hoffmann to **PETITION FOR REVIEW OF DETERMINATION OF COURT OF APPEALS CHANCERY MANDATE OF 9/16/98 to** the Arkansas Supreme Court, due judgments void for lack of jurisdiction in E-92-299-1 and E-93-1186-2; and for action to vacate those judgments on precedence case.

Jurisdiction lacking is the key issue of this Petition for Reconsideration and is visible in reported Order of 7/23/93.

1. In **Black vs. Merritt of 37 Ark. App. 5, 822 S.W. 2d. 853 (1992),** Discovery in the preparation of the Supplemental Record, accepted by the Court of Appeals on 6/24/98, indicates jurisdiction has been lacking in Case No. E-92-299-1 since 1992.

Further **"in cases where a judgment is void for lack of jurisdiction, no proof of meritorious defense is required under that rule." (p. 610, column 2, "Grounds to Set Aside**

Judgment." Arkansas Code of 1987 Annotated, Court Rules, 1997 edition, Michie/Lexis-Nexis), "no meritorious defense" means completion of a large abstract should not be required. No Jurisdictional Statement can be formulated.

2. Jurisdictional error is attributable to all attorneys, the Benton County Circuit Court Clerk, (misprision of the clerk under the Arkansas Rules of Civil Procedure, Rule 60 (C)(3)), and two trial Courts (E-92-299-1 and E-93-1186-2) with double, jurisdictional violations apparent.

3. Recusal of five judges simultaneously on 11/14/96 and subsequent appointment of the special judge on 11/15/96, resulted from judicial non-disclosure of fact, not the fault of the Appellant. She should not suffer attorney and judicial error.

4. By authority vested in the Arkansas Code of Judicial Conduct, Canon, 3 (B)(2) of faithful upholding of the law," Canon 3(B)(7) in which "communication between the trial judge and the appellate court with respect to any proceeding is permitted," no copy of any written, or substance of oral communication after 2/9/98, has been given to this Appellant, regarding the remanding of 1/21/98 Mandate. Remanded for correction, the case was not corrected.

5. Under Canon 3(B)(8), no trial courts disposed of judicial matters fairly if jurisdiction is lacking; nor demonstrated due regard for the rights of the parties to be heard; nor resolved the issues without unnecessary costs or delay (Canon 3(B)(7) and (8) p.1080 Michie, SUPRA.). Judicial duty would have been breached. Appellant should not be hurt for that error, prohibited under the Canons of the Arkansas Code of Judicial Conduct.

6. Discipline and disability of attorneys and judges is subject to consideration under the authority of the Arkansas Supreme Court by ASC Rules 1-2(a)(7 and 8). Appellant has deemed transfer of CA-97-01434, since 12/97 in the appeal process.

7. Jurisdiction in the prior court of E-91-128-2, which established the Property Settlement Agreement of 3/21/90 (SR. 1-8), upheld as binding and valid on 9/24/91, (SR. 9-12) rests in the only case with merit, E-91-128-2. The Appeal lodged deals with matters lacking jurisdiction.

8. Judge Don Huffman recused on 11//96 simultaneously with the others. His record indicates jurisdictional violation in E-93-1186-2, wherein authority rests in Article 21 of 11/13/92 Order -- E-92-299-1 (SR. 13-22).

9. Jurisdiction was specifically reserved to and by Judge Adams in Article 21. Article 22 of the same Order of 11/13/92 of E-92-299-1 upheld the prior actions as valid.

10. Satisfaction of Judgment filed 12/17/92 is false and was not disclosed to Appellant until May 27, 1997, the same date of the Order of 6/2 and 6/3/97 (sic) of Special Judge Mc Gowan, who closed the case and placed Sua Sponte, restricting due process of law. Judge McGowan had E-92-299-1 lacking jurisdiction passed to her.

That lack of disclosure demonstrates violations of Model Rules of Professional Conduct in Rules 1.2, 1.14, 1.3, 1,4 and 3.4 by all lawyers.

11. Judge Adams took jurisdiction wrongly in 1992.

Lacking jurisdiction, and no default, those judgments should be vacated by authority of the Appeal Court of 1992.

12. In Article 7 of Order of 11/13/92, the trial court denied Appellee's "Answer and Counterclaim" of 4/7/92 (SR. 30-32) and "Amended Answer and Counterclaim" of 8/5/92 (SR. 33-37. Both documents were not revealed to Appellant until the preparation of the Supplemental Record revealed them, six years later. No attorneys had acted properly.

13. On 6/24/98, they were entered into CA-97-01434 by the Arkansas Court of Appeals, and demonstrated the breach of Arkansas Rules of Civil Procedure Rule 64 (b)(2) by the withdrawal of counsel J. Robin Pace on 6/28/93, abandoning his client without time for securing counsel, encouraging default. Had default occurred, Appellant Hoffmann would have no right of appeal of this issue.

14. The subsequent appointment of Appellee's counsel on 7/7/93 to serve both parties is a condition of "miscarriage of justice," inflicted upon a mentally impaired client. Appellant was powerless to withstand the 7/23/93 Order Modifying Decree (SR. 26-30) of the Order of E-91-128-2, prohibited under Arkansas Rules of Civil Procedure Rule 60 (C). Her assets upheld by Judge Huffman were stripped by lawyer Dossey, attorney for both, and demonstrated lack of respect for the practice of law as found in "Fairness to the Opponent Party" in Model Rules of Professional Conduct, Rule 3.4 and in the Preface to that section of Rules of the Court.

15. Jurisdiction in E-91-128-2, modified without authority in E-92-299-1, is a breach of the civil rights of the Appellant, who was left with no means of Appeal.

The Plaintiff lawyer and the Defendant lawyer were the same, the one who committed acts of modification..(Arkansas Rules of Civil Procedure Rule 60 (C) Modification not Authorized, p. 611 Michie, Supra.)

WHEREAS,

A. Jurisdiction lacking, no appeal can be prepared or needs to be. Meritorious defense is not needed is the point of law of Black v. Merritt, of 37 Arkansas Appeal, 5, 1992. A former Appellate Court upheld the voiding of judgments when jurisdiction is lacking.

B. Vacating of Judgment Post 90 Days in which default is not an issue, was not within the jurisdiction of the trial court in Michie's Rules of Court before 1992; but in Black vs. Merritt, Supra, that consideration has become a right to be deemed -- on precedence in the state's highest tribunals.

C. Unless "miscarriage of justice" upon an unprotected, damaged, Appellant, pro se, under the Americans with Disability Rights Act is desired, Black vs Merritt should be affirmed in CA-97-01434.

THE APPELLANT PRAYS,

D. That the Supreme Court will consider 3 questions of law:

1. Wherein is jurisdiction?

All parties have a right to that determination in any civil proceeding. Appellant prays for the determination of jurisdiction under Rules of the Arkansas Supreme Court.

2. Is the Petition for Reconsideration with merit?

Appellant prays /or patience in the delays. She has even endured criminal trespass arrest, filed maliciously as she stood seeking Discovery on 4/21/98 in the ADA office, performing as required. Four and a half court days were required to prepare for that action. Charges were dropped 8/12/98. She was again threatened on 8/14/98, with a friend present.

3. Does Black vs. Merritt, a decision of the Arkansas Court of Appeals in 1992, pertain to this case?

Twenty-seven (27) lawsuits exist for Appellant since 1991. Fourteen (14) lacking jurisdiction have come from misprision of the clerk, and judicial recusal, rather than correction of error of E-92-299-1 and E-93-1186-2.

Lacking jurisdiction, those cases of E-92-299-1 and E-93-1186-2 are subject to the same consideration of Black vs. Merritt in Post 90 Day Judgment.

Wherein default judgment is not an issue, the Vacating of Judgment -- void, due lack of jurisdiction. -- should be considered in Hoffmann vs. Baker.

The case of Black vs. Merritt indicates "No meritorious defense is needed."

The Appellant prays that the Arkansas Supreme Court, affirming to be faithful to the upholding of the law, will award the same Order or Mandate to her as was awarded to Black vs. Merritt in 1992.

Respectfully submitted this 5th. day of October, 1998

"s/Jo Ann Hoffmann
Jo Ann Hoffmann, pro se Appellant

BEFORE THE ARKANSAS SUPREME COURT

JO ANN HOFFMANN
APPELLANT

PETITION FOR REVIEW OF CA-97-01434

VS.

BILLY W. BAKER
DEFENDANT

"SERVICE PAGE"

The following parties listed under "Service page" are hereby served

1. OFFICE OF THE CLERK, MR. LESLIE STEEN
   1 ORIGINAL 7 LEGIBLE COPIES
   THE ARKANSAS SUPREME COURT
   JUSTICE BUILDING
   625 MARSHALL STREET
   LITTLE ROCK, ARKANSAS 72201

2. THE HONORABLE COURT OF
   JUDGE MARY MCGOWAN
   6TH. CHANCERY JUDGE, 9TH. DIVISION
   401 W. MARKHAM
   LITTLE ROCK, ARKANSAS 72201
   501-340-5602 FAX 501- 340-6034

3. THE HONORABLE JERRY B. DOSSEY
   PO BOX 588
   BENTONVILLE, ARKANSAS 72712 501-273-3324

Leslie W. Steen Office of the Clerk Deputy Clerks:
Clerk Supreme Court of the State of Arkansas
Robin Horne Justice Building Denise Parks
Chief Deputy Clerk 625 Marshall Street Daniel Dobson
Melissa Fuller Little Rock, Arkansas 72201 Holli North
Chief Deputy Clerk Ginger Mullins
Janie Givens Joan Owens
Office Administrator Debbie Cates
Jeanne Matthews Renee Herndon
Records Supervisor Bobby Jackson
Sue Clayton

November 12, 1998

Jo Ann Hoffmann
10 Pershore Lane
Bella Vista, AR 72714-4316

RE: 98-01224 JO ANN HOFFMANN v.
BILLY W. BAKER

Dear Ms. Hoffmann:

The Arkansas Supreme Court made the following order today in the above styled case:

" Petition for review is denied."

Sincerely yours,

"s/Leslie W. Steen"
Leslie W. Steen, Clerk

LWS: RH

cc: Jerry B. Dossey
Sue Hodges, Clerk (#E-92-299-1)

LAW OR CHANCERY MANDATE

STATE OF ARKANSAS)
) SS.
In the Court of Appeals)

BE IT REMEMBERED, That at a session of the Court of Appeals of the State of Arkansas, begun and held in the city of Little Rock, on the 21st. day of January, 1998, amongst others were the following proceeding, to-wit:

No. CA 97 01434

JO ANN HOFFMANN

Appellant(s)

vs. Appeal from Benton Chancery - (E-92-299-1)

BILLY W. BAKER

Appellee(s)

Appellant's pro se motion for supplemental designation of the record. Remanded to trial court to settle the record within forty-five days (March 7, 1998) Arey and Crabtree, JJ., not participating.

IN TESTIMONY, That the above is a true copy of the order of said Court of Appeals, rendered in the case herein stated, I, Leslie W. Steen, Clerk of said Court of Appeals, hereunto set my hand and affix the seal of said Court of Appeals, at my office in the city of Little Rock, this 21st. day of January, 1998.

"s/Leslie W. Steen"
Leslie W. Steen, Clerk
BY______________
D.C.

Original to Clerk (with copy of motion)
cc: Jo Ann Hoffmann
Jerry Dossey
Hon. Mary Spencer McGowan (with copy of motion)

LAW OR CHANCERY MANDATE

STATE OF ARKANSAS)
) SS.
In the Court of Appeals)

BE IT REMEMBERED, That at a session of the Court of Appeals of the State of Arkansas, begun and held in the city of Little Rock, on the 19h. day of August, 1998 amongst others were the following proceeding, to-wit:

No. CA 97 01434

JO ANN HOFFMANN

Appellant(s)

vs. Appeal from Benton Chancery - (E-92-299-1)

BILLY W. BAKER

Appellee(s)

Appellant's pro se motion for brief time is denied. Appeal dismissed. Arey and Crabtree, JJ., not participating.

IN TESTIMONY, That the above is a true copy of the order of said Court of Appeals, rendered in the case herein stated, I, Leslie W. Steen, Clerk of said Court of Appeals, hereunto set my hand and affix the seal of said Court of Appeals, at my office in the city of Little Rock, this 19th. day of August, 1998.

"s/Leslie W. Steen"
Leslie W. Steen, Clerk
BY______________
D.C.

Original to Clerk
cc: Jo Ann Hoffmann
Jerry Dossey

LAW OR CHANCERY MANDATE

STATE OF ARKANSAS)
) SS.
In the Court of Appeals)

BE IT REMEMBERED, That at a session of the Court of Appeals of the State of Arkansas, begun and held in the city of Little Rock, on the 16th. day of September, 1998, amongst others were the following proceeding, to-wit:

No. CA 97 01434

JO ANN HOFFMANN

Appellant(s)

vs. Appeal from Benton Chancery - (E-92-299-1)

BILLY W. BAKER

Appellee(s)

Appellant's pro se motion for reconsideration is denied. The Clerk is directed not to accept any further pleadings from appellant in this case. Arey and Crabtree, JJ., not participating.

IN TESTIMONY, That the above is a true copy of the order of said Court of Appeals, rendered in the case herein stated, I, Leslie W. Steen, Clerk of said Court of Appeals, hereunto set my hand and affix the seal of said Court of Appeals, at my office in the city of Little Rock, this 16th. day of September, 1998.

"s/Leslie W. Steen"
Leslie W. Steen, Clerk
BY______________
D.C.

Original to Clerk
cc: Jo Ann Hoffmann
Jerry Dossey

IN THE SUPREME COURT OF THE STATE OF ARKANSAS

ORDER CONCERNING ASSIGNMENT OF JUDGES

NO. 96-190

Under the authority vested in the Chief Justice of the Supreme Court of Arkansas by Act 496 of 1965 as amended, and in response to the written request of Judge Oliver Adams, dated November 14, 1996 (attached hereto), Judge Mary McGowan of the 6th. Judicial Circuit is hereby assigned to the Circuit Court of Benton County of the 19th. Judicial Circuit to try the case of:

Baker (now Hoffmann) vs. Baker
Benton County Chancery No. E-92-299-1

The assignment includes all ancillary proceedings which may arise in connection with said cause and proceedings subsequent thereto shall be held at such time or times as shall be directed and ordered by Judge MGowan.

The assignment of Judge McGowan to the 19th. Judicial Circuit entails only additional duties, and jurisdiction in the 6th Judicial Circuit shall remain in Judge Mc Gowan to the same extent as though this assignment had not been made.

This order made and entered this 15th. day of November, 1996.

s/unclear Jensen"
Chief Justice

FILED
NOV 15 1996
LESLIE W. STEEN
CLERK

IN THE CHANCERY COURT OF BENTON COUNTY,
ARKANSAS

METRO BUILDERS RESTORATION SPECIALISTS, INC. PLAINTIFF

vs. CASE NO. E-93-1186-2

JO ANN HOFFMANN, JO ANN BAKER &
BANK OF BENTONVILLE DEFENDANTS

AND JO ANN HOFFMAN (SIC)
(A/K/A JO ANN H. BAKER) PLAINTIFF

vs. CASE NO. E-91-128-2

BILLY W. BAKER DEFENDANT

AND

JO ANN HOFFMANN PLAINTIFF

vs. CASE NO. E-92-299-1

BILLY W. BAKER DEFENDANT

ORDER

Now on this 16th. day of April, 1998, comes on for hearing the Motions of Jo Ann Hoffmann. The Court having reviewed the pleadings and otherwise being well-advised in the premises finds:

On December 31, 1997, a hearing was held (sic) and an Order issued in cases E-93-1186-2 and E-91-128-2 which essentially prohibits petitioner Hoffmann from filing lawsuits without benefit of legal counsel or without approval of the Court.

Now petitioner Hoffmann presents pleadings, nearly one inch thick, making a myriad of motions None of petitioner's pleadings comply with the Arkansas Rules of Civil Procedure. Petitioner's main aim appears[to be a motion to "reopen" one of the captioned cases all of which were closed more than one year ago. Petitioner's pleadings hardly mention Rule 60, let alone stating a basis for any of the cases to be reopened.

I see no reason to burden the judicial system further with any of these pleadings.

Any further pleadings on these cases will be allowed and submitted only with the approval of a lawyer.

IT IS SO ORDERED.

's/D. R. HUFFMAN
DON R. HUFFMAN, CHANCELLOR

I, Sue Hodges, certify this instrument is a true copy of he Order on file in this office, dated "s/4-16-98 "______ book at page ___.
s/Sue Hodges
Sue Hodges, Clerk
BY: BONITA STUBBS

LETTERS UNCLEAR

DEFENDANT'S
EXHIBIT NO. B

The Order of 4/16/98 directly above is file marked to the right margin running vertically as follows:

"FILED
'98 APR 16 AM 10:11
SUE HODGES
CLERK AND RECORDER
BENTON CHANCERY COURT"

ARKANSAS STATE BANK DEPARTMENT

SEAL OF
FRANK WHITE THE GREAT STATE MIKE
HUCKBEE
COMMISSIONER OF ARKANSAS GOVERNOR

March 16, 1998

Ms. Jo Ann Hoffman(sic)
10 Pershore Lane
Bella Vista, AR 72714-4316

Re: Bank of Bentonville Complaint

Dear Ms. Hoffman: (sic)

Pursuant to your request under the Arkansas Freedom of Information Act dated March 11, 1999, the State Bank Department is providing you with copies of documentation regarding various complaints you have submitted to this office since 1993. (sic).

Your complaints and telephone calls to various persons in our office over these years have taken a substantial time for our review. As this office has previously informed you we have found no reason throughout all of your complaints to indicate that he Bank of Bentonville has acted inappropriately in handling your matter. (sic).

Indeed, your correspondence indicates that your disputes and complaints appear to involve many other parties, our former husband, your building contractor, a medical malpractice claim, various attorneys, and entices complaint against Judge Huffman and other attorneys named throughout your complaints. Your correspondence indicates that many of your disputes have been litigated by various courts in this states. If these judicial decisions were not decided in your favor or to your satisfaction, the State Bank Department does not have any jurisdiction to overturn or interfere in such matters. (sic).

As the Bank Commissioner has previously notified you, the State Bank Department is unable to assist you. WE have previously closed our file on your complaints. Your file will remain closed and future correspondence regarding your complaint against the Bank of Bentonville will not be acknowledged. No employee of the State Bank Department will be available to assist your regarding your complaint.

323 CENTER STREET, SUITE 500 * LITTLE ROCK, AR
72291-2663 * PHONE (501)
324-9028

AN EQUAL OPPORTUNITY EMPLOYER

Ms. Jo Ann Hoffman (sic)
March 16 1999
Page 2

If you wish to continue pursuing your complaint, you should seek the advice of private legal counsel.

Sincerely,

"s/Candace A. Franks
Deputy Bank Commissioner
& General Counsel

CAF/ bm

Enclosures: Documentation/Correspondence
from Jo Ann Hoffman (sic) regarding
Bank of Bentonville complaint 1993-1998 (sic)

(sic) Arkansas Freedom of Information called for Bank of Bentonville file and was refused.

UPS NEXT DAY AIR
UPS LOGO UPS WORLDWIDE EXPRESS
SHIPPING DOCUMENT

WEIGHT	ZONE
25	22

NUMBER ________ __________

MARTY NEVRLA
ARKANSAS INSURANCE DEPT.
1200 W. THIRD STREET
LITTLE ROCK, AR 72203

JO ANN HOFFMAN (SIC)
10 PERSHORE LANE
BELLA VISTA, AR 72714

UPS NEXT DAY AIR
SIGNATURE REQUIRED

DATE OF SHIPMENT
9/8/98

NI74 1575 014

ARKANSAS INSURANCE DEPARTMENT

THE SEAL OF
THE GREAT STATE OF
ARKANSAS

1200 West Third Street
Little Rock, AR 72201-1904
1-501-371-2790
1-800-282-9134
Fax 1-501-282-2799

INSURANCE FRAUD INVESTIGATION DIVISION

Mike Huckabee
Governor

Mike Pickens
Commissioner

Martin J. Nevrla
Director

January 15, 1998

Jo Ann Hoffman (sic)
10 Pershore Lane
Bella Vista, AR 72714-4316

RE: Court Order of 11/13/92

Dear Ms. Hoffman: (sic)

Thank you for referring the above captioned matter to the Insurance Fraud Investigation Division.

Your referral has been reviewed by our investigative and legal staff and been found to lack reasonable suspicion to open a criminal investigation for Insurance Fraud. A copy of your referral will be maintained in the Division's files in the event additional information becomes available.

If you have any questions concerning the above or new information to provide in the case, please feel free to contact the undersigned.

Cordially,

"s/Dan W. Broaddrick"
Dan W. Broaddrick, Esq.
Chief Counsel

DWB:sdr: SP

ARKANSAS INSURANCE DEPARTMENT

THE SEAL OF
THE GREAT STATE OF
ARKANSAS

1200 West Third Street
Little Rock, AR 72201-1904
1-501-371-2790
1-800-282-9134
Fax 1-501-282-2799

ARKANSAS INSURANCE FRAUD INVESTIGATION DIVISION

Mike Huckabee
Governor

Mike Pickens
Commissioner

Martin J. Nevrla
Director

June 18, 1998

Jo Ann Hoffmann
10 Pershore Lane
Bella Vista, AR 72714-4316

Dear Ms. Hoffman: (sic)

This letter is to advise you that our investigative and legal staff have thoroughly reviewed all of the documents you have forwarded to this office, including your most recent letter stated April 29, 1998, wherein you outline, among other things, the contents of a returned box from Farmer's Insurance. In addition, we subpoenaed, received, and have thoroughly reviewed all documents in reference to you from the Bank of Bentonville.

From our evaluation of documents received in reference to your contentions, it is our opinion that reasonable suspicion does not exist to open a criminal investigation. Therefore, your referral will be closed, and a copy of your referral will be maintained in the Division's Files.

Thank you for referring this matter to the Insurance Fraud Investigation Division.

Sincerely,

"s/Cynthia Robinson"
Cynthia Robinson
Staff Attorney

ARKANSAS INSURANCE DEPARTMENT

THE SEAL OF 1200 West Third Street
THE GREAT STATE OF Little Rock, AR 72201-1904
ARKANSAS 1-501-371-2600
Mike Huckabee Mike Pickens 1-800-282-9134
Governor Commissioner Fax 1-501-371-2618

DIVISIONS

Administration September 18, 1998

1-501-371-2600
1-501-371-2618 Fax

Accounting Ms. Jo Ann Hoffman (sic)
1-501-371-2605 10 Pershore Lane
Bella Vista, AR 72714-4316

Consumer Services
1-501-371-2640
1-800-852-5494 Dear Ms. Hoffman: (sic)

Data Processing The Americans with Disabilities
("ADA") is not
1-501-371-2657 applicable to this Department's review of
your various complaints. I am sorry we
were unable to help you with your
numerous and varied complaints.
However, we must, of course, work
within the confines of the law

Finance and our statutory jurisdiction, neither of
1-501-371-2665 which provides you any administrative
remedy under the Arkansas Insurance
Code.

Human Resources
1-501-371-2815 .

Legal As always, thank you very much for your
time 1-501-371-2820 and consideration. Best personal regards

Very truly yours,

License
1-501-371-275 "s/Mike Pickens"

Life and Health
1-501-371-2800 Mike Pickens
Property and Casualty
1-501-371-2800 MP:sc

Risk Management cc: The Honorable Fay W. Boozman,
III, State Senator
1-501-371-2690

Senior Insurance
Network
1-501-371-2790
1-800-852-5494

Insurance Fraud
Investigation
1-501-371-2790
1-501-371-2799 Fax
A vertical line follows "Divisions."

GREAT PACIFIC INSURANCE COMPANY

POLICY EXCLUDING PROPERTY FROM PRIOR UNREPAIRED DAMAGE FROM COVERAGE.

The wording of This endorsement, effective
SEPTEMBER 1, 1993

Part of Policy Number
SP00757808

ISSUED TO THE BANK OF BENTONVILLE

by Great Pacific Insurance Company.

BLANKET MORTGAGE COVERAGE

RESIDENTIAL PROPERTY ENDORSEMENT

SECTION I COVERAGES

"This insurance applies to the Described Location, Coverage's for which a Limit is shown and Perils Insured Against for which a Premium is stated.

"A. PROPERTY COVERED

1. Each dwelling ......
2. Other Structures....
3. Materials and supplies....

"B. PROPERTY NOT COVERED "1. Dwellings and other structures with unrepaired damage caused by risks of direct physical loss occurring prior to individual coverage inception."

Page 1 of 3

SEAL OF GREAT PACIFIC INSURANCE

June 7, 1994

Mr. Kenny R. HANCOCK
The Bank of Bentonville
P. O Box 1229
Bentonville, Arkansas 72712

Re: Great Pacific Insurance Company
Master Policy No. SP 00757808

Dear Mr. Hancock:

This letter is to confirm, in accordance with Residential Property Endorsement, B. Property Not Covered, any damage that has not been repaired that occurred prior to the individual coverage inception is not covered under this Master Policy.

Sincerely,

Great Pacific Insurance Company

"s/Peter J. Pacini"

Peter J. Pacini
Assistant Vice President
PJ:dmo

395 OYSTER POINT BLVD., SUITE 500, SOUTH SAN FRANCISCO, CA 94080-1993, 800/445-3435, 415-872-6676, Fax 415/871-8119.

SEAL OF GREAT PACIFIC INSURANCE

June 21, 1994

Mr. Kenny R. Hancock
The Bank of Bentonville
P. O Box 1229
Bentonville, Arkansas 72712

Re: Great Pacific Insurance Company
Master Policy No. SP 00757808

Dear Mr. Hancock:

According to the above referenced Master Policy, "Dwelling and other structures with unrepaired damage caused by risks of direct physical loss occurring prior to individual inception" are not covered by this policy, pursuant to all other terms, conditions and provisions.

The property in question must have unrepaired damage, which would not be covered in this policy. It would be helpful in knowing the type of damage this property has sustained.

Insurance policies normally do not insure damages occurring prior to the effective date of coverage, nor to property previously damaged, as is the case under this policy.

I can not circumstante this policy or any other policy of insurance. Coverage on any policy is in accordance with the applicable terms, conditions, provisions, including endorsement and exclusions.

Sincerely,

Great Pacific Insurance Company

"s/Peter J. Pacini"

Peter J. Pacini
Assistant Vice President
PJ:dmo

395 OYSTER POINT BLVD., SUITE 500, SOUTH SAN FRANCISCO, CA 94080-1993, 800/445-3435, 415-872-6676, Fax 415/871-8119.

THE BANK PH (501) 273-3331
of BENTONVILLE

P.O. BOX 1229 * BENTONVILLE, ARKANSAS 72712

June 27, 1994

Great Pacific Insurance Company
Attn.: Peter J. Pacini

RE: (sic)

Dear Mr. Pacini::

I have received your letter dated June 21, 1994, concerning the insurance clause referring to dwellings and other structures with unrepaired damage. I am afraid his letter is as difficult to understand as the paragraph in the insurance policy.

Specifically, we have paid an insurance premium on loan #34512630760, property that we hold a mortgage (sic) on in Bella Vista, Arkansas. Approximately two years ago that property did sustain some fire and smoke damage. The insurance proceeds totaled approximately $27,000. Due to problems with the contractor (sic) and other circumstances , the repairs to the house were only partially completed. Based on my last inspection, the house did not have kitchen cabinets, lacked some floor covering, also. The house is currently inhabited and, in my opinion is 95 % repaired (sic).

Specifically, is this property covered by the insurance premium that we have paid? If so, to what extent?

Please advise me on this matter as soon as possible.

Sincerely,

NOTE
AFFIXED
READS:

"FAXED"
6/28"

"s/Kenny R. Hancock"
Kenny R. Hancock

Loan Department Manager
Bank of Bentonville
(501) 271-1286

KRH/mkb

MEMBER ARVEST BANK GROUP

JUN 29 '94 1:09PM P.2

SEAL OF GREAT PACIFIC INSURANCE

June 29, 1994

Mr. Kenny R. Hancock
Loan Department Manager
The Bank of Bentonville
P. O Box 1229
Bentonville, Arkansas 72712

Re: Great Pacific Insurance Company
Master Policy No. SP 00757808
Loan No. 34512630760

Dear Mr. Hancock:

Pursuant to your fax received June 29, 1994 of your letter dated June 27, 1994, the dwelling is insured for a covered loss pursuant
to the applicable forms made a part f the Master Policy.

As I previously advised, unrepaired damage is not insured under this policy.

Sincerely,

Great Pacific Insurance Company

"s/Peter J. Pacini"
Peter J. Pacini
Assistant Vice President

PJ:dmo

Noted by hand appears:
"Have gone in a circle
This started with the
request for a
interpretation of the
Master Policy wording."

THE BANK PH. (501) 273-3331
of Bentonville P.O. 1229 . BENTONVILLE, ARKANSAS
72712

July 30, 1992

Metro Builders and Restoration Specialists
1008 Clayton
Springdale, AR 72756

Re: #10 Pershore Lane, Bella Vista, Ar 72714

Dear Sir:

I have received a check in the amount of $27,323.08 from Farmers Insurance Group for fire damage to the above referenced property.

Joann (sic) Hoffmann has requested the funds be used to rebuild the home.(sic) The Bank of Bentonville is willing provided the funds are deposited at the Bank with an assignment on the account to secure our existing loan.

It will be necessary for you to come by and endorse the check. Please call to make arrangements by August 7,m 1992. (501/ 271-1370.

Sincerely,
"s/Jennie Hill"
Jennie Hill

Vice President
JH:mls

EXHIBIT "B"

cc: file
(sic)

MEMBER ARVEST BANK GROUP

TEL: Oct. 12. 92 12:07 No.005 P.02
TEL: Oct. 09. 92 10:34 No.002 P.02

Bank of Bentonville hereby acknowledges that it holds funds in the amount of $27,323.09 which constitutes proceeds of an insurance draft issued for the purpose of paying the cost of repair and remodeling of a residence located at 10 Pershore Lane, Bella Vista, Arkansas, which property is currently owned by Jo Ann Hoffman (sic) a/k/a Jo Ann Baker, and Billy W. Baker. Bank of Bentonville holds a mortgage on the property and as mortgagee has an interest in the proceeds.

Although Bank of Bentonville is not a party to your contract to repair and remodel the property, Bank of Bentonville understands that you have contracted with the owners of the property to repair and remodel the property. Bank of Bentonville is willing to and does hereby commit to you that Bank of Bentonville will not, without being compelled nude legal process to do so, release the insurance proceeds to any person or entity other than in payment to you for your services in repairing and remodeling the property, without your prior consent. (sic)

"s7855-4036"

"s/Exhibit "C"

(sic)

ON THE FORM OF BANK OF BENTONVILLE, . A DEPOSIT SLIP ENTERING PROCEEDS OF A CHECK DATED 6/30/92 TO AN ACCOUNT HELD BY THIRD PARTY BANK OF BENTONVILLE (sic) AND IN VIOLATION OF THE ORDER OF E-92-299-1 ORDER 11/13/92 AND THIS ENTIRE DOCUMENT "VOIDED."

10 PERSHORE LANE BELLA VISTA, AR. 72714

"s/751-3518
501-855-4036 (CROSSED OUT)

DATE: 10-12-92 BAS (sic)
INITIAL DEPOSIT $27,323.09

NAME(S)

Jo Ann Hoffmann
BANK OF BENTONVILLE (sic)
c/o JENNIE HILL (sic)

ACCOUNT NUMBER 2042338

NUMBER SIGNATURES
REQUIRED FOR WITHDRAWAL ONE (sic)

TAXPAYER NUMBER
413-50-2212 (sic)

x s/Jo Ann Hoffmann (sic)

HOOD & CONNER
ATTORNEY AT LAW
113 N. MAIN/P.O. BOX 550
BENTONVILLE, ARKANSAS 72712

RICKARD W. HOOD
JEFF R. CONNER Telephone (501)-273-3377
CURTIS D. CLEMENTS Facsimile (501)-273-3419

November 20, 1992

Mr. Jerry B. Dossey
GOCIO & DOSSEY
P.O. Box 500
Bentonville, AR 72712

Re: Bank of Bentonville - Billy Baker /Jo Ann Baker-Hoffman (sic) matter

Dear Jerry:

I received a letter from Robin Pace yesterday along with a copy of the divorce decree that has now been entered in Case No. E-92-299-1.

It (sic) believe that repairs to the house at 10 Pershore Lane have commenced based upon Bank of Bentonville's assurance to the contractor that the Bank will, afar the repairs have been completed, release the insurance proceeds to the contractor.

The decree gives me a little concern. The decree has reverted to wording which on it's face requires the insurance proceeds to be held in an account requiring the signatures of both Billy Baker and Jo Ann Hoffman for withdrawal. The funds are currently in an account from which they can not be released without the approval of Jo Ann Hoffman and an officer of Bank of Bentonville. In order to protect it's interest, and because of your prior directions (sic) Bank of Bentonville will not release funds (sic) from that account other than to pay of the repairs to the house.

In light of entry of the decree, I would be more comfortable if you client would sign a statement allowing Bank of Bentonvile to release the insurance proceeds in payment for repairs to the house after the repairs are completed. I have prepared a simple statement to that effect, and it is enclosed.

If the statement meets with your approval, please have your client sign it, and return it to me. If you have a problem with it. or with t he way the matter is currently being handled, please call me. For the present time, repairs to the residence are ongoing. In reliance on our earlier conversations (sic) and your

TEL: Feb 28,94 16:00 NO.002 P. 0 (sic)

Mr. Jerry B. Dossey
November 20, 1992
Page 2

letter to me, I have not instructed the Bank to put a stop to repairs at this point.((sic))

Thank you very much

Yours truly.

"s/Rick Hood"
Rickard W. Hood

RWH:br
Enc.
cc: Jennie Hill
Bank of Bentonville

(sic)

TEL: Feb 28,94 16:00 NO.002 P. 0 (sic)

AUTHORIZATION

To: Bank of Bentonville
Bentonville, Arkansas

From: Billy W. Baker

Re: Insurance proceeds related to 10 Pershore Lane,
Bella Vista, Arkansas

Gentlemen:

The undersigned, Billy w. Baker, by his signature hereto, authorizes Bank of Bentonville to hold the above referenced insurance proceeds in the approximate amount of $27,000 in such amounts r forms as Bank of Bentonville may determine, so long as such proceeds cannot be released without the approval of Bank of Bentonville. The undersigned authorizes Bank of Bentonville **to release such proceeds to any contractor in actual payment for services rendered in repairing or restoring the premises at 10 Pershore Lane, without further signature from the undersigned.**

Dated this "s/28th" day of "s/November", 1992.

"s/Billy W. Baker"
Billy W. Baker"

IN THE CHANCERY COURT OF BENTON COUNTY, ARKANSAS

FILED
'92 DEC 7 PM 12:12
SUE HODGES
CLERK AND RECORDER
BENTON COUNTY, ARK.

JO ANN BAKER (Now HOFFMANN) PLAINTIFF

vs. CASE NO. E-91-128-2

BILLY W. BAKER DEFENDANT

PETITION FOR CONTEMPT

Comes now the Plaintiff, Jo Ann Hoffmann, and for her Petition for contempt, alleges and states:

1. That an Order was entered by this Court on September 24, 1991. A copy of this Order is attached to the Petition, marked "Exhibit A", and incorporated here by reference. This court retains jurisdiction over the parties and subject matter for further orders as may be necessary.

2. Among other things, this Court directed the Defendant to pay the Plaintiff the sum of $2196.50 immediately upon receipt of his 1990 Federal tax refund.

3. The Defendant received his Federal Tax Refund and paid the Defendant the sum of $717.16.

4. Pursuant to the terms and provisions of the orders entered in this Court on September 24, 1991, the Defendant still owes the Plaintiff the sum of $1479.34.

5. That the Plaintiff should have judgement in the sum of $1479.34 against the Defendant, interest and court costs, plus her attorney fees.

6. The Defendant's willful failure to pay this amount as listed above is a willful and flagrant violation of orders of this Court and the Defendant is in contempt of this Court. This Court should find the Defendant in contempt and incarcerate the Defendant until such time as he purges himself of this contempt, or any other measure deemed equitable by this Court.

Wherefore, the Plaintiff prays that she have judgement for the sum of $1479.34; for pre-judgement and post-judgement interest; for her costs and attorney's fees; that the Defendant be found to be in contempt and in violation of orders of this Court; that he be incarcerated in the Benton County Jail until such time as he purges himself of contempt or other such measures deemed equitable by this Court; and for all other relief to which she may be entitled.

JO ANN HOFFMANN

"s/Robin Pace"
By: J. Robin Pace
Attorney for the Plaintiff
Jackson & PACE
P. O. box 727
#1 Halstead Circle, Suite 3
Rogers, Arkansas 72757-0727

"file 12/22 sjn

HOOD & CONNER
ATTORNEY AT LAW
113 N. MAIN/P.O. BOX 550
BENTONVILLE, ARKANSAS 72712

RICKARD W. HOOD
JEFF R. CONNER Telephone (501)-273-3377
CURTIS D. CLEMENTS Facsimile (501)-273-3419

December 9, 1992

Ms. Jennie Hill
Bank of Bentonville
P.O. Box 1229
Bentonville, AR 72712

Re: Jo Ann Baker-Hoffman (sic)

Dear Jennie:

Enclosed is the original of the authorization that I prepared for Billy Baker's signature related to the insurance proceeds on the #10 Pershore Lane property. This authorization should protect us from any questions being raised about Bank of Bentonville releasing the insurance proceeds to the contractor after the work on the house is completed.

Thank you very much.

Yours truly.

"s/Rick Hood"
Rickard W. Hood

rwh:br
Enc.

IN THE CHANCERY COURT OF BENTON COUNTY,
ARKANSAS

F I L E D (sic) '92 DEC 17 PM 1 22	F I L E D (sic) '97 MAY 27 PM 4:08
SUE HODGES CLERK AND RECORDER BENTON COUNTY, ARK	SUE HODGES CLERK AND RECORDER BENTON COUNTY, ARK

JO ANN HOFFMANN a/k/a
JO ANN BAKER
PLAINTIFF

vs. CASE NO.: E-92-299-1 (sic)

BILLY W. BAKER DEFENDANT

SATISFACTION OF JUDGMENT

The judgment awarded to the Plaintiff, Jo Ann Hoffmann, in a Decree of Divorce entered in this cause on November 13, 1992 and recorded in in (sic) Judgement Book "s/E" at page "s/92" in favor of the Plaintiff, is satisfied in full (sic) this 9th (SIC) day of December, 1992 and the Clerk of the Benton County Chancery Court, by any Deputy, is authorized to enter this satisfaction of judgement by marginal endorsement on behalf of the Plaintiff (sic) and her attorney. (sic)

Furthermore, the Plaintiff has received all amounts required to be paid by the Defendant pursuant to that Decree of Divorce.

JO ANN HOFFMANN

By: "s/Robin Pace"

J. Robin Pace
Attorney for the Plaintiff
Jackson & Pace
Attorneys at Law
P.O. Box 727
#1 Halsted Circle, Suite 3
Rogers, Arkansas 72757-0727
(501) 636-5371

92-5596

AFFIDAVIT AS TO LIENS AND ENCUMBRANCES

On this 15th. day of December, 1992 before me personally appeared BILLY W. BAKER AND JO ANN HOFFMAN (sic) "s/N"

Owner of property and/or General Contractor, to me personally known, who, being duly sworn on (his-their) oath(s), did say that all of the persons, firms, and corporations, including the general contractor and all subcontractors who have furnished services, labor, or materials according to plans and specifications, or extra items, used in the constructions or repair of buildings and improvements on the real estate hereinafter, described, have now been paid in full and that such work has been fully completed and accepted by the owner.

Affiant further says that no claims have been made to affiant by any such suit now pending on behalf of any contractor, subcontractor, laborer or materialman, and further that no chattel mortgages, conditional bills of sale, retention of title agreements, security agreements, financing statements, or personal property leases have been given or are outstanding as to any fixtures, appliances, or equipment which are now installed in or upon said real property or the improvements thereon.

Affiant further says that there are no outstanding deeds of trust, mortgages, judgment liens, mechanics or materialmens liens filed of record or unfiled claims or any other liens or encumbrances of any kind as follows:

None. (SIC)

Affiant on behalf of said Owner of Property and/or general contractor does for a valuable consideration hereby agree and guarantee to hold TUCKER ABSTRACT COMPANY

(By reason of the or suit of or by any general contractor, subcontractor, mechanic or materialman, and against chattel mortgage, conditional bills of sales, retention of title agreements, security agreements, financing statements, or personal property leases in connection with the construction, repair or sale of such building or improvements on said real estate.

The real estate and improvements referred to herein are situated in the County of Benton, State of Arkansas, and are described as follows, to wit:

11 Duxford Lane, Bella Vista, AR 72714
L9 B2 DUXFORD

December 15, 1992

"s/ blank"
BILLY W. BAKER
"s/Jo Ann Hoffmann'
JO ANN HOFFMAN "s/N"

STATE OF ARKANSAS
COUNTY OF BENTON

Sworn in and subscribed before me his 15th. day of Deceiver, 1992

"s/Linda K. Winter "
Linda K. Winter
Notary Public
My Commission expires "s/ 2/17/2002'

page 1 of 1 Loan #:

IN THE CHANCERY COURT OF BENTON COUNTY,
ARKANSAS

FILED
'93 FEB 11 AM 9:16
SUE HODGES
CLERK AND RECORDER
BENTON COUNTY, ARK.

JO ANN BAKER (Now HOFFMANN) PLAINTIFF

vs. CASE NO. E-91-128-2

BILLY W. BAKER DEFENDANT

ORDER TO DISMISS

Now on this day, comes on for hearing, the Motion of the Plaintiff to Dismiss the Plaintiff's Petition for Contempt in this cause with prejudice, an the Court being well and sufficiently advised, finds and orders as follows:

1. That the Petition for Contempt of the Plaintiff filed herein should be dismissed with prejudice (sic) in accordance with the Arkansas Rules of Civil Procedure.

IT IS THEREFORE, CONSIDERED, ORDERED, ADJUDGED, AND DECREED that the Plaintiff's Petition for Contempt be dismissed with prejudice (sic).

IT IS SO ORDERED THIS "s/11th" day of "s/February," 1993.

"s/DR.Huffman"
Donald R.Huffman

Chancellor

APPROVED AS TO FORM

"s/Robin Pace"
J. Robin Pace
Attorney for Plaintiff

"s/Jerry B. Dossey
Jerry Dossey
Attorney for Defendant

QUITCLAIM DEED
SINGLE PERSON 93 09882

KNOW ALL MEN BY THESE PRESENTS:
THAT I, BILLY W. BAKER a single person,

FILED FOR
RECORD s/935 O'clock "/A" M

FEB 19 1993

SUE HODGES
CLERK AND RECORDER
BENTON COUNTY, ARK.

hereinafter called the Grantor, for an in consideration of hte sum of One Dollar ($1.00) and other good and valuable conideration to me in hadid paid by

JO ANN HOFFMANN (formerly Baker), a single person

hereinafter called Grantee, do hereby grant, sell, and quitclaim unto said Grantee and Grantee's heirs and assigns foever, the folloing described land situate in
Benton County, State of Arkansas, to wit:

Lot 5, Block 2, Worcestor Subdivision, Bella Vista, Benton County, Arkansas.

(sic) By acceptance of this Deed, Grantee agrees to assume and pay all indebtedness now or in the future owed in connection with the property, including, but not limited to, taxes, insurance, assessments, and mortgage indebtedness, and shall hold Grantor harmless for the payment of same. (sic)

To have and to hold the said lands and appurtenances thereunto belonging unto the said Grantee and the Grantee's heirs and assigns forever.

WITNESS myhand and eal on this "s/26th." day of
"s/January," 1993. "s/Billy W. Baker"
Billy W. Baker")

JACKSON & PACE, Attorneys at Law
P. O. Box 727
#1 Halsted Circle, Suite 3
Rogers, Arkansas 72757-0727
(501) 636-5371

ACKNOWLEDGMENT

STATE OF WY) SS "s/10 Pershore Lane"
COUNTY OF ALBANY) Bella Vista, Ar 72714

On this 26th. day of January, 1993 before me, a notary public personnaly appeared Billy W. Baker known to me (or satisfactorily proven) to be the person whose name is subscribed to the foegoing instrument and acknowledged that he/she had executed the same for the prupose therein set forth.

My Commission Expires "s/ Marion Sturm"
Notary Public
County of Albany State of Wyoming
7/14/99 BENTON COUNTY CIRCUIT CLERK

I, Sue Hodges, ceritify this instrument is a ture copy of he Quit Claim Deed on file in this office, dated 2/19/93 Book 93 a pge 09882 Sue Hodges.
Sue Hodges, Clerk
By "s/signature illegible D.C."

seal

(sic) This instrument of 2/19/93, was never authorized with the seoncd paragraph accepting any debts, etc. The filing of a legal instrument known to be unauthorized is a criminal offense of Arkansas Statute §§ 5-37-226 (a), 5-36-103 and 5-37-201.

Jo Ann Hoffmann, Petitioner

THE BANK PH. (501) 273-3331
of Bentonville P.O. 1229 . BENTONVILLE, ARKANSAS
72712

MARCH 15, 1993

BILL W. BAKER
AND JOANN HOFFMANN
10 PERSHORE LN
BELLA VISTA, AR. 72714

THE BALANCE ON LOAN # 34512630760 WAS $31,360.59 AS OF DECEMBER 15, 1992.

IF WE CAN ASSIST YOU IN ANY OTHER WAY PLEASE LET US KNOW.

"s/Kenny Hancock
KENNY HANCOCK

KH/jer

THE BANK PH. (501) 273-3331
of Bentonville P.O. 1229 . BENTONVILLE, ARKANSAS
72712

MARCH 17, 1993

BILL W. BAKER
AND JOANN HOFFMANN
10 PERSHORE LN
BELLA VISTA, AR. 72714

THE BALANCE ON LOAN # 34512630760 AS OF DECEMBER 15, 1992 INCLUDING INTEREST IS $31,452.42.
(sic)

SORRY ABOUT THE ERROR IN THE FIRST LETTER.

IF I CAN ASSIST YOU IN ANY OTHER WAY LET ME KNOW.

"s/Jody Russell"
JODY RUSSELL

THE BANK PH. (501) 273-3331
of Bentonville P.O. 1229 . BENTONVILLE, ARKANSAS
72712

August 3, 1993
Jo Ann Hoffmann
10 Pershore Lane
Bella Vista, AR 72714

Dear Ms. Hoffmann:

This letter is to respond to your question about a jury trial for the lawsuit filed by Metro Builders. Because the Bank of BENTONVILLE was not a party tot he Bentonville (sic) between you and Metro Builders that dispute needs to be settled by you and them.

I did, however, inquire about the option of a jury trial. Based on my understanding, jury trails are not used in chancery court. (sic)

I do not intend to initiate any action on the part of the Bank of Bentonville concerning a jury trial.

I do recommend that you obtain legal counsel to represent you in this lawsuit.

You also inquired about your loan balance as of December 15, 1992. Our records indicate the following:

Transaction date - December 1, 1992
Unpaid principal $31,360.50

14 days x daily interest accrual of $6.1218 =85.70

Total unpaid principal, December 15, 1992 $31,446.29

Yours truly,

"s/Kenny R. Hancock"
Kenny R. Hancock
Loan Department Manager
bank of Bentonville
(501) 271-1286
KRH./mkb

MEMBER ARVEST BANK GROUP

U.S. DEPARTMENT OF JUSTICE

SEAL FBI FEDERAL BUREAU OF NVESTIGATION

In Reply, Please Refer to 10825 Financial Centre Parkway #200
File No. LR 190 - C1 ˉ Little Rock, Arkansas 72211

November 30, 1998

Mrs. Jo Ann Hoffmann
10 Pershore Lane
Belle (sic) Vista, Arkansas 72714-4316

Dear Mrs. Hoffmann:

Reference is made to your letter dated November 12, 1998 directed to the Fayetteville FBI Office and received on November 23, 1998. For your information, the Fayetteville Office is within the Little Rock Division, and maintains no independent records system.

A copy of your letter asking for information maintained by the FBI under the Freedom of Information Act (FOIA) concerning the investigation of a referral case from the Bella Vista Sheriff's Office is being returned to you.

The FOIA provides for access to Government records where the records sought are "reasonably described" (Title 5, United States Code, Section 552 (a) (3)). Your letter does not contain enough descriptive information to permit a search of our records.

In accordance with Title 28, Code of Federal

Regulations, Part 16.3(b), we area requesting that your (sic) provide more specific information to enable us to locate the records with a reasonable amount of effort.

Our records system consists of an index on various subjects, including individual, organizations, activities, and the like. Names other than subjects, suspects, and victims (which are automatically indexed) are indexed on the decision of the supervising Special Agent. Therefore, we need more specific information, such as the actual names of the investigation, to be able to locate the specific information you seek. Again, if you provide the names of individuals, we...

Enclosure

will need proof of death or appropriate authorizations (privacy waivers as well as identifying data to do an accurate search of our indices.

Enclosed is a Privacy Waiver and Certification of Identity form. (You may make additional copies if you are requesting information on more than one individual.) The subject of your request should complete this form and then sign it, preferably in the presence of a notary. The original privacy waiver must b provided to the FBI.

Proof of death can be a copy of a death certificate, obituary or a recognized reference source. Death is presumed if the birth date of the subject is more than 100 years ago.

Once you have provided us with the necessary information, as described above, we will conduct a search of our records and advise you of the results.

Sincerely yours,

Charles S./ Prouty
Special Agent in Charge
FBI, State of Arkansas

By : s/Steven K. Frazier
Steven K. Frazier
Supervisory Special Agent
Chief Division Counsel

U.S. DEPARTMENT OF JUSTICE

SEAL FBI FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. LR 190 - C1

10825 Financial Centre Parkway
Suite 200
Little Rock, Arkansas 72211
June 11, 1999

Mrs. Jo Ann Hoffman (sic)
10 Pershore Lane
Belle (sic) Vista, Arkansas 72714-4316

Dear Mrs. Hoffman: (sic)

Reference your numerous telephone calls and personal visits to our offices in Fayetteville and Little Rock, Arkansas, as well s the numerous documents you have provided our office, in which you allege you have been a victim of "fraudulent encumbrance, " bank fraud, "attorney crime," etc. After having reviewed your documents and meeting with you on this date, you have not provided this office with sufficient evidence of any Federal criminal violation. As a result, we are returning all of your documents today.

Sincerely yours,

Charles S. Prouty
Special Agent In Charge

By: "s/Steven K. Frazier
Steven K. Frazier
Supervisory Special Agent
Chief Division Counsel

U.S. DEPARTMENT OF JUSTICE

SEAL FBI FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. LR 190 - C1

10825 Financial Centre Parkway
Suite 200
Little Rock, Arkansas 72211
June 14, 1999

Mrs. Jo Ann Hoffmann
10 Pershore Lane
Belle (sic) Vista, Arkansas 72714-4316

Dear Mrs. Hoffmann:

I have reviewed the cassette tape you provided on June 11, 1999. most of the tape is inaudible, but those portions that could be understood do not provide any new information regarding your concerns expressed at our last meeting on June 11, 1999. Therefore, I am returning the tape to you since the FBI does not have any jurisdiction in the matter. You may pursue your claims through whatever means you deem appropriate, including civil process.

Sincerely yours,

Charles S. Prouty
Special Agent In Charge

By: “s/Steven K. Frazier
Steven K. Frazier
Supervisory Special Agent
Chief Division Counsel

THE FEDERAL RESERVE SYSTEM

SEAL
THE FEDERAL
RESERVE BANK OF
ST. LOUIS

Unclear Title
411 Locust Street St. Louis, MO63102

Randall C. Sumner
Vice President

June 11, 1997

Ms. Jo Ann Hoffmann
10 Pershore Lane
Bella Vista, Arkansas 72714-4316

Dear Ms. Hoffmann:

We have completed our review of the complaint filed by you against the Bank of Bentonville. Our review included the information received from you and information received from the Bank of Bentonville. The Bank of Bentonville has provided documentation regarding the payment of the mortgage on your home and the handling of insurance proceeds which it held for the reconstruction of your home.

As the mortgage holder on your property, the Bank of Bentonville held the insurance proceeds (sic) for the reconstruction of your home after a fire. The records indicate that you became dissatisfied with the work (sic) performed by Metro Builders; fired them (sic)and refused to agree to pay for work already completed. (sic) A lawsuit (sic) field by Metro Builders resulted in Metro obtaining (sic) judgment for the remainder of the insurance proceeds (sic). During the time the lawsuit was pending, you hired another contractor (sic) and the Bank of Bentonville advanced emergency funds to pay the contractor. The Bank agreed to add this amount to your mortgage principal in the event Metro Builders won the lawsuit.

In August 1995, the Bank of Bentonville sent you a demand letter (sic) because the mortgage (sic) on your home was in default back to September, 1994. Even though your husband signed (sic)a Quit Claim Deed, he was still a responsible party (sic) on mortgage documents and the note. (sic) He also received the demand letter. (sic) The delinquent amount was paid in October 1995 (sic) so the Bank did not pursue foreclosure action. The loan was paid in full on January 6, 1996 (sic). Records indicate that you do not have any outstanding loans with the Bank of Bentonville and there are no outstanding foreclosure proceedings pending.

It is our understanding that the judgment (sic) on the lawsuit against Metro Builders was reported by the Court (sic) to the credit agencies. (sic) The Bank of Bentonville has not violated (sic) any consumer (sic) banking regulations in handling your mortgage account (sic) or the disbursal of the insurance proceeds (sic); therefore, the Federal Reserve Bank of St. Louis cannot assist (sic) you further in this matter. Additionally, the Federal Reserve Bank of St. Louis cannot adjudicate the other legal matters you referred to in your correspondences.

Sincerely,

"s/Randall C. Sumner"
Randall C. Sumner

Board of Governors
of the
Federal Reserve System
Washington, D.C. 20551-0001

THE SEAL BOARD OF GOVERNORS FEDERAL RESERVE SYSTEM

BOARD OF GOVERNORS
OF THE
FEDERAL
RESERVE SYSTEM
WASHINGTON, D.C. 20551

DIVISION OF CONSUMER
AND COMMUNITY
AFFAIRS

June 16, 1998

Ms. Jo Ann Hoffmann
10 Pershore Lane
Bella Vista, Arkansas 72714-4316

Dear Ms. Hoffmann:

I am writing in response to your letter in which you expressed dissatisfaction concerning the manner in which the Federal Reserve Bank of St. Louis handled our complaint against the Bank of Bentonville. We have reviewed the documentation that you submitted as well as the documents related to the Reserve Bank's investigation of your complaint.

From our review of the documentation, it is our understanding that you and Mr. Baker (your ex-spouse (sic)) owned two properties, referred to as the Duxford and Pershore properties. According to your Property Settlement Agreement, dated march 1990, the Duxford property was t be sold (sic) and the proceeds from its sale re to be applied to pay off the balance of the Pershore property (sic). Any remaining proceeds were to be divided equally between you and Mr. Baker. (sic)

You moved into the Pershore home which was later involved in a fire. When you and Mr. Baker divorced (sic), the Pershore property was awarded to you in the divorce settlement. (sic) The Duxford property was sold in December, 1992 as order in the November 1992 divorce decree. (sic) The decree also stipulated that the insurance proceeds from the Pershore property fire be placed in an account held at the Bank of Bentonville(sic); the proceeds were to be used exclusively for rebuilding the Pershore house. According to the Bank of Bentonville (sic), the check from the insurance company was to be endorsed by you and Mr. Baker (mortgagees), the Bank of Bentonville (mortgagor), and Lamar Pettus, who also held a mortgage on the property. (sic). The Bank of Bentonville stated that since Mr. Baker moved to another state, he had given it the authority to act on his behalf. (sic)

When a contractor was hired to complete the reconstruction on the Pershore house, you refused to authorize and advances for the work completed because the work did not meet our expectations. (sic). The contractor sued (sic) both you and the Bank of Bentonville and the court ruled (sic) in the contractor's favor (sic). In August 1995, the Bank of Bentonville sent you and Mr. Baker (who was still (sic) a responsible party on the mortgage documents and note) (sic)demand letters because your mortgage had been delinquent since September 1994. The delinquency was paid in October, 1995 and the remaining balance on the mortgage was paid in full in January, 1996.

A review of your files also indicate (sic) that the disbursal of the proceeds from the sale of the Duxford property was the responsibility of you, Mr. Baker and your attorneys, not the Bank of Bentonville (sic). The Bank of Bentonville's only involvement was that it held the mortgage for the buyers of the Duxford property (sic). Since the Bank of Bentonville didnot hold your mortgage on the Duxford property (sic) it was not involved in the disbursement of the proceeds you received from the sale of that property. (sic) The Bank of Bentonville, therefore, cannot be held responsible for the mortgage not being paid at that time (sic).

In accordance with the court order (sic), the insurance proceeds were released to satisfy a judgment (sic). 7/31/99 during the time the lawsuit was pending, you hired another contractor (sic) and the Bank of Bentonville advanced emergency funds to pay that contractor. The Bank of Bentonville agreed to add the amount to your mortgage principal since the original contractor won the lawsuit. (sic) Although you may dispute the validity of the judgment, the contractors lawsuit and the delinquency of your mortgage were reported to the credit agencies. The Bank of Bentonville, however, also reported to the credit agencies that the balance of the Pershore home was paid. (sic).

We also reviewed your April 22, 1998 correspondence in which you enclosed a copy of your motion to the Arkansas Court of Appeals. Your motion relating to the court's jurisdiction along with your request that a criminal investigation be conducted into this matter are beyond the scope of the regulatory authority of the Federal Reserve. In addition, you again mention that the Bank of Bentonville illegally held your funds since "no debt existed after November 1992" on the Pershore property. As stated previously, it was not the Bank of Bentonville's responsibility (sic) to pay the Pershore mortgage after the sale of the Duxford property.

Upon review of your file, we concur with the Reserve Bank that the Bank of Bentonville did not violate any consumer banking law or regulation in the disbursal of the insurance proceeds, the handling of your mortgage loan, or reporting information to the credit agencies. I would like to clarify the Federal Reserve's role and responsibility in investigating consumer complaints and the limitations on its authority. Although the Federal Reserve has supervisory authority over certain institutions, it does not function as a court of law. It so therefore not in a position to resolve factual issues or intervene in matters that are or have been in litigation. These issues can only be resolved thought the judicial process. In addition, the Federal Reserve cannot supersede any decision made in a court of law. Thus, it would be inappropriate for the Federal Reserve to further comment on this matter.(sic).

I hope this clarifies the limitations of the Federal Reserve's regulatory authority. I regret that this is of the outcome that you sought but appreciate your patience in our review of this matter.

Sincerely,

s/Julie Farrish"
Julie Farrish
Senior Consumer Affairs Analyst

bcc: FRB of St. Louis

RE: Uniform Foreign Judgments Act, Sandstrom v. Sandstrom
800 P. 2d 103 (Wyo. 1994)

OPINION OF FRANK BAYLESS ,ESQ.
BAYLESS, SLATER, & MACY

October 20, 1997

" ...if any judgment in Arkansas is void in that the court acted in a manner inconsistent with due process then such a judgment obtained in violation of the due process clause is not entitled to full faith and credit. ....incorporation of the judgments in a Wyoming decree would open up the issues of the validity of the judgments in Arkansas under full faith and credit....

I further felt that there has been no compliance with the Uniform Foreign Judgments Act as required by Wyoming Statue. Sandstrom v. S, supra.....

Mrs. Baker wished to contest the jurisdiction of the court in all respects including the power to grant a divorce.....

I know that Mr. Kelly has objected to my advising the Court if I do not intent (sic) to represent her. However, she remains unrepresented by counsel and does not have knowledge of Wyoming law and it seemed to me to be in the best interest of fairness and justice to at least advise the court as to possible jurisdictional problems.

In any event, I have informed the Defendant that I do not intend to represent her. I was very leery of representing her because of her mistrust of lawyers and of course another concern was my getting drug into a prolonged litigation without possibility of being paid."

.....

"s/Franklin D. Bayless"
Franklin D. Bayless

THESE ARE THE LEGAL ACTIONS
THAT LED PETITIONER TO
THE UNITED STATES SUPREME COURT:

PROPERTY SETTLEMENT AGREEMENT OF 3/21/90 (PUB. 504 IRS)

1. 1991 E-91-128-2

2. 1992 E-92-299-1 (PACE)

3. 1993 E-92-299-1 (DOSSEY/DOSSEY)
4. 1993 CV-93-57(PACE)
5. 1993 MALL FALL (PACE)
6. FARMER'S INSURANCE PROBLEM (PACE)
7. 1993 E-93-1186-2 METRO BUILDERS & SPEC. INC. / BANK OF BENTONVILLE AND JO ANN HOFFMANN

8. 1994 SCC-94-372-2 (DENTAL FRAUD)
9. 1994 CIV-94-585-3 FIRST APPEAL DENTAL FRAUD

10. 1995 CIV-94-585-3 FIRST APPEAL DENTAL FRAUD -- SUMMARY JUDGMENT ON TWO FALSE AFFIDAVITS

11.1995 CIV-94-585-3 GARNISHMENT HEARING/ 47 CENTS LEFT FOR 23 DAYS OF MAY IN GARNISH FREE FUNDS. 16-110-402 DOES NOT EXIST.

12. 1995 CIV-94-585-1 DISQUALIFICATION HEARING / CRIMINAL ACTION UPHELD

13. 1995 E-92-299-1 CONTEMPT OF COURT; 7/23/93

DISBURSEMENT -- SEC AND 401 A PLAN VIOLATION OF ESPOUSAL RIGHTS; LACK OF JURISDICTION; NO FORECLOSURE/HOSTAGE OF OWN FUNDS.

14. 1995 CIV-94-585-1 DISQUALIFICATION HEARING MOTION FOR NEW TRIAL LOST BY COUNTY CLERK / RECORDER GRANTED SATISFACTION OF JUDGMENT AND ORDER TO APPEAL 96-659.

SS ADMINISTRATION APPROVES DISABILITY 1/12/96 RETROACTIVE TO 1986. (NOT A TYPO ERROR.)

15. 1996 APPEAL OF 96-659
16. 1996 ACC/POA FALSE ALLEGATION OF BOAT PARKING INTERFERES WITH 96-659. JUDGE ON 94-SCC-372-2 IS LAWYER FOR ACC/POA.

17. 1996 E-92-299-1 CONTEMPT OF COURT / BAKER

18. 1996 E-92-299-1 CONTEMPT OF COURT / BAKER -- TRANSFERRED TO CIVIL 96-872-1.

19. CIVIL 96-872-1 TRANSFERRED BACK TO CHANCERY ON FALSE INPUT DOSSEY 11/7/96/ 11//8/96 PLAINTIFF NO OPPORTUNITY TO RESPOND.

20. E-92-299-1 CONTEMPT OF COURT / BAKER 1996 96-190 RECUSAL OF ALL JUDGES SIMULTANEOUSLY.

21. 1996 96-190 CHIEF JUSTICE JENSEN APPOINTS

JUDGE MARY SPENCER MC GOWAN AS SPECIAL JUDGE.

22. 1997 E-92-299-1 ORDER OF 2/12/97 AND NO HEARING

RECONSIDERATION AND STIPULATED RESPONSIBILITY BY DOSSEY FOR NEFF CASE.

23. 1997 E-92-299-1 SATISFACTION OF JUDGMENT E-93-1186-2; 1997 E-92-299-1 ORDER OF 6/2/ AND 6/3/97 -- ILLEGAL PROCEDURE, FILE MARK BACKED IN.

24. APPEAL CA-01434 OF E-92-299-1 TO ARKANSAS COURT OF APPEALS.

25. SIMULTANEOUSLY; WYOMING CV 97-93 ACTION FOR ABSOLUTE DIVORCE UNQUALIFIED FOR UNIFORM FOREIGN STATUTE ACTION.

26. 1998 4/22/98 SUPPLEMENTAL RECORD

COMPUTER FAILURE

27. 1997 - 1998 HEARING 20560 FIRST OFFENSE TRAFFIC VIOLATION/BVSO ACJC CANON 3E(1) VIOLATION. PROSECUTING ATTORNEY CONFLICT.

28. 1997 TWO CASES -- RECUSED JUDGE ACTS ANYWAY.

29. 1/13/98 OFFICIAL EX PARTE WITH OFFICIAL

TRANSCRIPT -- TWO UNCONSOLIDATED CASES; NO LAWYERS, ETC.

1998 WORKMAN'S COMP --TORT TO FALSE UNDER UNUSUAL CONCERNS.

1998 AIR FORCE BASE ACT – WORKMAN'S COMP OF EXPOSURE IN SCIENCE CLASS JOB – TERRITORY OF ALASKA AND WRONG TREATMENT FOR DISEASE FOR 40 YEARS – DISCOVERY 1997.

30. 1998 4/21/98 CRIMINAL TRESPASS ARREST/ AMERICANS WITH DISABILITIES OFFICE DELIVERING REQUIRED COMPLAINT/MALICIOUS ARREST; VIOLATION OF MIRANDA RIGHTS; FINGERPRINTING YIELDS MEDICAL CARE DUE REACTIVITY AND MALFEASANCE.

MEDICARE SECONDARY EXISTS.

1997-1999 BCBS OF TEXAS MEDICARE DELAY AND FRAUD ACTION. MEDICARE FRAUD REPORTED AGAINST MEDICARE CARRIER.

HFCA REVIEW PENDING HEARING, NOW AT "LOW PRIORITY" WITH CONGRESSIONAL ASSISTANCE.

6/98 DENIAL OF CONTENT SETTLEMENT – INSURANCE DEPARTMENT.

9/8/98 FOIA BOB – ARKANSAS INSURANCE DEPT.

3/16/99 FOIA ARKANSAS BANK DEPARTMENT – YIELDS MINE, NOT FOIA BOB.

6/1/99 REAL ESTATE FRAUD IDENTIFIED.

6/4/99 BENTON COUNTY ASSESSOR ADVISED OF FACTS AND ACTION PENDING HER RESPONSE.

1998-1999 DFA HEARINGS: 1991 AND 1994 TAX LIABILITY DOES NOT EXIST DUE TO FRAUD. CPA HAS BEEN ASKED TO ASSIST; BUT HIS TWO MONTH BILL IS $2114.90 AND TAX LIABILITY WAS $188L59.

IRS APPEALS RENDERS INVALID OPINION. A COURT ORDER EXISTS OVER THE RULING OF THE IRS AND DISCOVERY WAS 12/21/98.

9/17/98 98-5162 FILED.

12/4/98 98-5162 CLOSED.

1/4/99 99-1182WAF APPEALED.

2/22/99, MAIL CROSSED IN THE TRANSMISSION OF RECORDS. (THIS ACTION CAUSED THE ENTERING OF ADDITIONAL DOCUMENTATIONS HEREIN. THE CLERK AT THE EIGHTH COURT OF APPEALS HAD INFORMED THE ACTION OF RECORD WAS 4/14/99 THEREFORE, ONLY BRIEF ENTRIES HAD BEEN MADE.

5/13/99 99-1182 WAS APPEALED TO THE UNITED STATES SUPREME COURT BECAUSE UNIQUE ABUSE EXISTS, AND HELP MUST BE THERE IN

LOCAL RULES.

CV 99-74-1 ACTION AGAINST TWO COUNSELORS IN 20560 BECAME ADA PROBLEM. ACJC CANON 3 E(1) IDENTIFIED IN 20560; 48112 AND 99-74-1.

RECUSAL/ FORMER JURY TRIAL OF RIGHT; THE CASE INTERFERED WITH 3/8/99 PETITION FOR REHEARING EN BANC.

94-74-1 APPEALED TO ARKANSAS SUPREME COURT FOR ACJC CANON 3E(1) ET. AL., VIOLATIONS.

CONTINUANCE GRANTED RECORDER UNTIL OCTOBER, 1999.

FRAUD HAS BEEN PERPETRATED UPON ALL COURTS AFFILIATED WITH E-92-299-1 WHEREIN JURISDICTION IS WITHOUT MERIT UNDER BLACK VS. MERRITT 37 ARK. APP. 5 822 2d. S.W. 853 (1992)

NO DEFAULT JUDGMENTS EXIST; CRIMINAL STATUTE VIOLATIONS EXIST UNDER §§5-36-103; 5-37-201; AND 5-37-226(a).

THE MEN WHO RENDERED THOSE PROBLEMS ARE DEFENDANTS HEREIN BROUGHT UNDER RULE 8 CONSIDERATIONS.

FDIC; OCC; FRB; DFAS; DOD; AFLSA; ERISA; ARKANSAS STATE BANK DEPARTMENT, ARKANSAS STATE INSURANCE DEPARTMENT; GOVERNOR'S OFFICE; ADMINISTRATIVE OFFICE OF THE COURTS;

ETHICS COMMISSION; PROFESSIONAL ETHICS COMMITTEE, ARKANSAS COMMISSION ON JUDICIAL DISCIPLINE AND DISABILITY; ETHICS COMMISSION; SECRETARY OF STATE; CHAMPUS; MEDICARE -- FOUR STATES; AND FOUR WORKMAN'S COMPS PENDING RETROACTIVE DISCOVERY OF POSSIBLE RIGHTS.

UNITED STATES SUPREME COURT PETITION FOR WRIT OF CERTIORARI, THE LAST DENIED IN THE ARKANSAS COURT OF APPEALS, AND JURISDICTION NOT ESTABLISHED, DISCOVERED 12./21/98.

U.S. DISTRICT COURT

WESTERN DISTRICT OF ARKANSAS, FAYETTEVILLE DIV.
P.O. BOX 6420, FAYETTEVILLE, ARKANSAS 72702

JO ANN HOFFMANN
PLAINTIFF

VS.
CO-DEFENDANTS AS FOLLOW:
TIM TWAMLEY
BANK OF BENTONVILLE
ATTORNEY FOR THE BANK RICK HOOD
ATTORNEY JERRY B. DOSSEY
ATTORNEY DAVID G. NIXON
ATTORNEY J. ROBIN PACE

CASE NO. 98-5162

NOTICE OF APPEAL / APPLICATION TO PROCEED WITHOUT PREPAYMENT
28 C.F.R. SECTION 35.130 (a) , ET. AL.

COMES NOW the Plaintiff, Jo Ann Hoffmann, having filed a Notice of Appeal from the U.S. DISTRICT COURT, WESTERN DISTRICT OF ARKANSAS, FAYETTEVILLE DIVISION, P.O. BOX 6420, FAYETTEVILLE, ARKANSAS 72702, TO THE COURT OF APPEALS OF THE EIGHTH CIRCUIT, and states as follows to wit:

1. The Appellant has been offered and accepted the option of appeal to the Court of Appeals of the Eighth Circuit if

she feels the court erred in dismissing the above styled case.

2. With due respect for the demonstrated patience and kindness of the court of H. Franklin Waters, United States District judge, she accepted that option and filed a Notice of Appeal on 12/4/98 for the continued purpose for which she filed the Complaint on 9/17/98. The purpose is not one of delay or evil, but that she may pursue civil justice in a manner guaranteed under the Rules of Federal Civil Procedure TO ALL CITIZENS -- THE RIGHT OF TRIAL under the BILL OF RIGHTS in order that the end result may bring honor to all who serve or perform with honor

3. Ms. Hoffmann was given the option to file an APPLICATION TO PROCEED WITHOUT PREPAYMENT OF FEES AND AFFIDAVIT, and filed that along with the NOTICE OF APPEAL, accompanied by supporting documentation on 12/4/98. Her petition has not been ruled upon, or the determination has not been delivered to her if in fact the Court has ruled. SHE IS HEREIN FORCED TO DEEM HER RIGHTS ONCE MORE.

4. In order to protect her civil rights in the above styled case, it has become necessary to duplicate those petitions with the amended tax returned to indicate her level of need as follows:

A. 1991 1040X was filed to the IRS on 12/30/98 following discovery in 1998 of DOCUMENTATION TO SUPPORT LACK OF JURISDICTION in case number E-92-299-1. The 1991 tax will be amended with casualty losses Form 4684 in tax year 1995. The only orders of merit rest in Case Number E-91-128-2.

IN LIKE MANNER, THE FOLLOWING ACTIONS ARE AMENDED OR FOLLOW:

B. 1992 1040X. will be filed for amendment on 1/4/98. Net taxable income is amended to 0.

C. 1993 1040X. was filed on 12/30/93. Net taxable income is amended to 0.

D. 1994 1040X. was filed on 12/30/93. Net taxable income is amended to 0.

E. NOTICE OF IRS THAT 1995 TAX DUE IS $32,029.82 IS OVERWHELMING. HOFFMANN IS LIVING WITH A HOME IN FORFEITURE TO THE STATE OF ARKANSAS DUE ERROR OF THE COUNTY AND THE STATE AND WITHOUT THE NORMAL LIFE SUSTAINING MINIMUM REQUIREMENTS.

THIS TAX BILL HAS BEEN ARRANGED IN FRAUD PERPETRATED UPON HOFFMANN BY THE DEFENDANTS IN THE CASE LISTED ABOVE TO STOP A FORECLOSURE WHEN NO LEGAL DEBT EXISTED. FORM 8857 HAS OR WILL BE FILED TO SEEK RELIEF AS AN INNOCENT SPOUSE UNDER CONSIDERATIONS OF SPOUSE DETERMINATION AND PROPERTY SETTLEMENT AGREEMENT OF 3/21/90.

F. 1996 1040, LIKE 1995 1040, HAS NOT BEEN FILED, DUE LACK OF CORRECT FILING STATUS, PENDING UP TO 11/12/98 AT THE HIGHEST TRIBUNAL OF THE STATE OF ARKANSAS.

A DIVORCE IN THE STATE OF ARKANSAS IN E-92-299-1, LACKING JURISDICTION IS INVALID, LIKEWISE IN WYOMING; AS UNDUE PROCESS OF LAW HAS OCCURRED. UNITED STATES GOVERNMENTAL AGENCIES ARE INVOLVED IN THE ABUSE OF A WIFE USING THE COURT SYSTEMS OF THE NATION. THE PROFESSIONAL REPRESENTATIVES WHO ARE DEFENDANTS HEREIN ARE DIRECTLY RESPONSIBLE FOR THIS FRAUD.

G. 1997 1040 X. IS PENDING THE HFCA REVIEW, FOLLOWING ILLEGAL DENIAL OF MEDICARE B COVERED COSTS FOR TREATMENT WHICH INCLUDED DOCUMENTATION OF MENTAL IMPAIRMENT IN 1997.

Income reported at AGI of $2240 will be amended to show present taxable income of $1102 before the HFCA review. Tax on that amount is $167. Federal withholding was $223.

MEDICARE FRAUD EXISTS IN 1997 AND IN 1996; MR. NIXON MAY CLAIM 1996 RESPONSIBILITY FOR THAT MEDICARE FRAUD IN LONG TERM/HOME CARE FRAUD IN 1996. IN 1995; HE TAKES RESPONSIBILITY FOR CHAMPUS FRAUD.

H. 1998 1040 has a fraudulent divorce action, not triable in Wyoming under exclusion of the Uniform Foreign Judgment Act, (Sandstrom vs. Sandstrom), due lack of due process in Arkansas. A Probable Cause Affidavit will be filed to the Second District Court alleging Fraud upon the Court and the Defendant there.

Jurisdiction was first validly questioned in the Second District

Court of Carbon County, Wyoming by Judge Ken Stebner on 8/4/97. Discovery of Mr. Dossey's record was revealed in 1998 at the preparation of the Supplemental Record FOR CA-97-01434. Mr. Dossey, Mr. Pace; and Mr. Hood are involved in fraudulent concealment of documentation and breach of Model Rules of Professional Conduct, Rule 1 et. seq.

5. Wherein the Court of 98-5162 may have looked at the AGIs and been confused, clearly the problem is one of ELDERCARE COSTS THAT WERE CREATED IN VIOLATION OF ADA RIGHTS OF 28. C.F.R. SECTION 35, 130 (a) PROTECTION FROM DISCRIMINATION.

App

6. These costs are the direct error of the five defendants listed above, except for Mr. Twamley.

7. The best laws are worthless if unable to be enforced by a court of law.

8. Ms. Hoffmann was under time restrictions as well to file for medical tort litigation for military malpractice with discovery date of 1997. Four claims have been filed in the matter, with no counselor to assist and all costs falling to her. Mr. Dossey blocked that action in 1995; but stipulated responsibility in 1/22/97 to the adjudicated duty.

9. .Hoffmann has been trapped under a "LEGAL MC CARTHYISM;" NO REPRESENTATION HAS PERFORMED IN HONOR, AS THE RECORD SHOWS. Recusal of five judges simultaneously indicates a problem.

WHEREAS,

Plaintiff in the above case has filed a Notice of Appeal and that Appeal pending review for Eldercare costs that net her income in 1992-1995 in the negative amounts, she has deemed an appropriate forma pauperis and has suffered personal damage to stand for justice. Under 28 C.F.R. Section 35, 130 (a) protection, she should be granted the appeal as stated above and must deem her rights for the second time to protect those rights expiring on 1/4/98.

Whereas she has stated fact that net income has cost more to get than she has received to stand for justice, she prays the court will forthwith approve and forward the Notice of Appeal to the 8th. Circuit Court of Appeals to protect her civil rights and do so in good faith that she has suffered sufficiently to have the doors of justice open free to her and not further burden her financial obligation to the point of additional suffering.

Supporting documentation includes amended 1040Xs for years 1991, 1992, 1993; 1994; and the notice of 1995.

The 1/21/98 invalid divorce issue filed in Wyoming is also included, as the court may read the legal orders and Agreement of 3/21/90 that stand above state law, in order to better understand its limitations. 62 pages are therein at great costs. Nine sets are needed in this case; two are needed in Wyoming.

The court will note that the divorce in Wyoming is only based on E-92-299-1. E-92-299-1, due the legal ramifications, caused by the professional defendants above, has been challenged as one without merit under Black vs. Merritt, as pled previously;

Whereas the jurisdiction established in the state courts has been lost, via the 11/14/96 recusal of all courts without disclosure of a jurisdictional problem, pro se prays the court can better understand why subject matter jurisdiction appears to be validly placed in the above case and why an appeal is required to protect rights.

A Notice of Appeal having been filed, a determination is in order on the merit of lack of requirement for prepayment of fees due to hardship.

Under the Code of Arkansas, Annotated in 1987, an appeal in 1992 finds that in post 90 day judgments due lack of jurisdiction, the judgment may be vacated. All actions of E-92-299-1 lack jurisdiction and the subsequent actions, including the illegal contract requirements upon Defendant Twamley and Plaintiff Hoffmann in the above case by the Bank of Bentonville defendant are illegal and breach the Fair Credit Act and the rights of joint tenancy established by the Agreement of 3/21/90 by the Bank and all defendants above

The Bank had no legal right to impose any contract upon the defendant Twamley or the Plaintiff, but fraudulently concealed and fraudulently converted the insurance proceeds; fraudulently insured a mortgage that had no legal basis; and which was excluded by policy; and involved two courts in ongoing fraud.

In Wyoming, the burden of jurisdiction rests with Honorable Kurt Kelly. He has brought a case of naught.

This Court correctly identified the problem when it described the 9/21/98 request. It is one of credit fraud, credit reporting fraud; and no party is required to plead a case in a Complaint, but to make allegations that can be and were supported by reasonable documentation. Hoffmann declares protection under 28 C.F. R. 28 Section 35 SUPRA.

The right of civil litigation is available to all citizens, not just those excluded FROM damage. Therefore the court will want to honor her ADA rights under 28 C.F. R. Section 35 130 (b) protection.

Plaintiff prays the court will uphold the honor of justice and forthwith rule on the matter brought before it 12/4/98 to preserve the rights of a damaged litigant before it in good faith.

Respectfully submitted and served to the parties listed above by US mail, and to the Wyoming court and counsel as well, this 31st day of December, 1998.

Jo Ann Hoffmann, Pro Se
10 Pershore Lane
Bella Vista, AR 72714-4316
no phone see above

cc: parties listed above
Judge Ken Stebner
Honorable Kurt Kelly